



SUPPLEMENTAL LABELING

DuPont™ FeXapan™ herbicide
Plus VaporGrip™ Technology

**DuPont Crop
Protection**

**FOR USE ON
ROUNDUP READY 2
XTEND® SOYBEANS**

SUPPLEMENTAL LABELING

READ THE ENTIRE LABEL FOR DUPONT™ FEXAPAN™ PLUS VAPORGRIP™ TECHNOLOGY BEFORE PROCEEDING WITH THE USE DIRECTIONS CONTAINED IN THIS SUPPLEMENTAL LABELING.

When using DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology as permitted according to this supplemental labeling, read and follow all applicable directions, restrictions, and precautions on the container label and booklet provided with the product container and on this supplemental labeling. This supplemental labeling must be in the possession of the user at the time of pesticide application.

This supplemental label expires on 11/09/2018 and must not be used or distributed after this date.

DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology

EPA Reg. No. 352-913

GROUP	4	HERBICIDE
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**FOR PREEMERGENCE AND POSTEMERGENCE USE ON
ROUNDUP READY 2 XTEND® SOYBEANS**

Keep out of reach of children

CAUTION!

In case of an emergency involving this product, contact DuPont at 1-800-441-3637, day or night.

DIRECTIONS FOR USE

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

This labeling must be in the possession of the user at the time of herbicide application.

ROUNDUP READY 2 XTEND® SOYBEANS CONTAIN A PATENTED GENE THAT PROVIDES TOLERANCE TO DICAMBA, THE ACTIVE INGREDIENT IN THIS PRODUCT. THIS PRODUCT WILL CAUSE SEVERE CROP INJURY OR DESTRUCTION AND YIELD LOSS IF APPLIED TO SOYBEANS THAT ARE NOT DICAMBA TOLERANT, INCLUDING SOYBEANS WITH A TRAIT ENGINEERED TO CONFER TOLERANCE TO AUXIN HERBICIDES OTHER THAN DICAMBA. FOLLOW THE REQUIREMENTS SET FORTH HEREIN TO PREVENT SEVERE CROP INJURY OR DESTRUCTION AND YIELD LOSS. CONTACT WITH FOLIAGE, GREEN STEMS, OR FRUIT OF CROPS, OR ANY DESIRABLE PLANTS THAT DO NOT CONTAIN A DICAMBA TOLERANCE GENE OR ARE NOT NATURALLY TOLERANT TO DICAMBA, COULD RESULT IN SEVERE PLANT INJURY OR DESTRUCTION.

Information on Roundup Ready 2 Xtend® Soybeans can be obtained from your seed supplier or DuPont representative. Roundup Ready 2 Xtend® Soybeans must be purchased from an authorized licensed seed supplier.

The instructions contained in this DuPont Supplemental Label include all applications of DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology that may be made to Roundup Ready 2 Xtend® Soybeans during the cropping season. DO NOT combine these instructions with other instructions in the “SOYBEAN” Section of any DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology label for use over crops that do not contain the dicamba tolerance trait.

Note: Roundup Ready 2 Xtend® Soybeans and methods of controlling weeds and applying dicamba in a Roundup Ready 2 Xtend® Soybean crop are protected under U.S. patent law. No license to use Roundup Ready 2 Xtend® Soybeans are granted or implied with the purchase of this herbicide product. Roundup Ready 2 Xtend® Soybeans is owned by the seed provider and a license must be obtained from the seed provider before using it. Contact your Authorized DuPont Retailer for information on obtaining a license to Roundup Ready 2 Xtend® Soybeans.

See the “PRODUCT INFORMATION” and “APPLICATION EQUIPMENT AND TECHNIQUES” sections of the DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology product label for important use information. In the event that there are any inconsistencies with the directions for use between this supplemental label and any other labeling for this product, follow the directions for use on this supplemental label.

Training and education on proper pesticide application is encouraged. Applicators should visit www.fexapanapplicationrequirements.dupont.com for training information and opportunities relative to this product.

TYPES OF APPLICATIONS: Preplant; At-Planting; Preemergence; Postemergence (In-crop)

DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology is approved by U.S. EPA to be used in the following states, subject to county restriction as noted: Alabama, Arkansas, Arizona, Colorado, Delaware, Florida (excluding Palm Beach County), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee (excluding Wilson County), Texas, Virginia, West Virginia, Wisconsin.

Restrictions

- Do not apply this product aerially.
- Do not make application of this product if rain is expected in the next 24 hours.

USE INSTRUCTIONS

Apply this product in a minimum of 10 gallons of spray solution per acre as a broadcast application. For best performance, control weeds early when they are less than 4 inches. Timely application will improve control and reduce weed competition. Refer to the following table for maximum application rates of this product with Roundup Ready 2 Xtend® Soybeans.

Maximum Application Rates	
Combined total per year for all applications	88 fluid ounces per acre (2.0 lb. a.e. dicamba per acre)
Total of all Burndown/Early preplant, Preplant, At-Planting, and Preemergence applications	44 fluid ounces per acre (1.0 lb. a.e. dicamba per acre)
Total of all In-crop applications from emergence up to and including beginning bloom (R1 stage soybeans)	44 fluid ounces per acre (1.0 lb. a.e. dicamba per acre)
Maximum In-crop, single application	22 fluid ounces per acre (0.5 lb. a.e. dicamba per acre)

a.e. – acid equivalent

Refer to Table 1 of the DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology label booklet for application rates for weed type and growth stage controlled by this product. Maximum in-crop application rate should be used when treating tough to control weeds, dense vegetative growth or weeds with a well-established root system.

Preplant, At-Planting, Preemergence

USE INSTRUCTIONS: This product may be used to control broadleaf weeds and may be applied before, during or immediately after planting Roundup Ready 2 Xtend® Soybeans. Refer to the “WEEDS CONTROLLED” section of the label booklet for DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology for specific weeds controlled.

RESTRICTIONS: The maximum combined quantity of this product that may be applied for all preplant, at-planting, and preemergence applications is 44 fluid ounces (1.0 lb a.e. dicamba) per acre per season. The maximum application rate for a single, preplant, at-planting, or preemergence application must not exceed 44 fluid ounces (1.0 lb a.e. dicamba) per acre. Do not apply less than 22 fluid ounces (0.5 lb a.e. dicamba) per acre.

Postemergence (In-crop)

USE INSTRUCTIONS: This product may be used to control broadleaf weeds in Roundup Ready 2 Xtend® Soybeans. In-crop applications of this product can be made from emergence (cracking) up to and including beginning bloom (R1 growth stage of soybeans). Do not make in-crop applications of this product after beginning bloom (R1 growth stage of soybeans). The maximum and minimum rate for any single, in-crop application is 22 fluid ounces (0.5 lb a.e. dicamba) per acre. Using the appropriate application rate may reduce the selection for resistant weeds. For best performance, control weeds early when they are less than 4 inches. DuPont does not warrant product performance of applications to labeled weeds greater than 4 inches in height.

A second application of this product up to the R1 crop growth stage may be necessary to control new flushes of weeds. Allow at least 7 days between applications. For best results, apply DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology after some weed re-growth has occurred.

Application of this product postemergence and under stressful environments may cause temporary loss of turgor, a response commonly described as leaf droop in Roundup Ready 2 Xtend® Soybeans. Typically, affected plants recover in 1-3 days depending on the level of droop and environmental conditions.

RESTRICTIONS:

- The combined total application rate from crop emergence up to R1 must not exceed 44 fluid ounces (1.0 lb. a.e. dicamba) per acre.
- The maximum single, in-crop application rate must not exceed 22 fluid ounces (0.5 lb. a.e. dicamba) per acre.
- The combined total per year for all applications must not exceed 88 fluid ounces (2.0 lb. a.e. dicamba) per acre.
- Allow at least 7 days between final application and harvest or feeding of soybean forage.
- Allow at least 14 days between final application and harvest or feeding of soybean hay.

TANK-MIXING INSTRUCTIONS

DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology may only be tank-mixed with products that have been tested and found not to adversely affect the offsite movement potential of DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology. A list of those products may be found at www.fexapanapplicationrequirements.dupont.com. DO NOT tank mix any product with DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology unless:

1. You check the list of tested products found not to adversely affect the offsite movement potential of DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology at www.fexapanapplicationrequirements.dupont.com no more than 7 days before applying DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology; and
2. The intended tank-mix product is identified on the list of tested products; and
3. The intended products are not prohibited on either this supplemental label or the label of the tank mix product.
4. Additional Warnings and Restrictions:
 - Some COC, HSOC and MSO adjuvants may cause a temporary crop response.

- Do not tank mix products containing ammonium salts such as ammonium sulfate and urea ammonium nitrate.
- Drift reduction agents (DRAs) can minimize the percentage of driftable fines. However, the applicator must check www.fexapanapplicationrequirements.dupont.com to determine if the DRA is listed and check with the DRA manufacturer to determine if the DRAs will work effectively with the approved spray nozzle, spray pressure, and the desired spray solution.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, DUPONT MAKES NO RECOMMENDATION OR WARRANTY HEREIN REGARDING THE USE OF ANY PRODUCT THAT MAY APPEAR ON THE WEBSITE REFERENCED ABOVE, REGARDLESS OF WHETHER SUCH PRODUCT IS USED ALONE OR IN A TANK MIX WITH FEXAPAN™ PLUS VAPORGRIP™ TECHNOLOGY. BUYER AND ALL USERS ARE SOLELY RESPONSIBLE FOR ANY LACK OF PERFORMANCE, LOSS, OR DAMAGE IN CONNECTION WITH THE USE OR HANDLING OF ANY SUCH PRODUCT ALONE OR IN A TANK MIX WITH FEXAPAN™ PLUS VAPORGRIP™ TECHNOLOGY. See the section titled “LIMIT OF WARRANTY AND LIABILITY” herein for more information.

WEED RESISTANCE MANAGEMENT

Some naturally occurring weed biotypes that are tolerant (resistant) to dicamba may exist due to genetic variability in a weed population. Where resistant biotypes exist, the repeated use of herbicides with the same sites of action can lead to the selection for resistant weeds. Certain agronomic practices can delay or reduce the likelihood that resistant weed populations will develop and can be utilized to manage weed resistance once it occurs.

Do not use less than 22 fluid ounces per acre (0.5 lb a.e./A) of this product in a single application. Using the appropriate application rate can minimize the selection for resistant weeds.

Proactively implementing diversified weed control strategies to minimize selection for weed populations resistant to one or more herbicides is a best practice. A diversified weed management program may include the use of multiple herbicides with different sites of action and overlapping weed spectrum with or without tillage operations and/or other cultural practices. Research has demonstrated that using the labeled rate and directions for use is important to delay the selection for resistance.

The continued effectiveness of this product depends on the successful management of the weed resistance program; therefore, it is very important to perform the following actions.

To aid in the prevention of developing weeds resistant to this product, the following steps should be followed where practical:

- Scout fields before application to ensure herbicides and rates will be appropriate for the weed species and weed sizes present.
- Apply full rates DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology for the most difficult to control weed in the field at the specified time (correct weed size) to minimize weed escapes.

- Scout fields after application to detect weed escapes or shifts in weed species.
- Report any incidence of non-performance of this product against a particular weed species to your DuPont retailer, representative or call 1-888-6-DUPONT.
- If resistance is suspected, treat weed escapes with a herbicide having a site of action other than Group 4 and/or use non-chemical methods to remove escapes, as practical, with the goal of preventing further seed production.

Additionally, users should follow as many of the following herbicide resistance management practices as is practical:

- Use a broad spectrum soil-applied herbicide with other sites of action as a foundation in a weed control program.
- Utilize sequential applications of herbicides with alternative sites of action.
- Rotate the use of this product with non-Group 4 herbicides.
- Avoid making more than two applications of dicamba and any other Group 4 herbicides within a single growing season unless mixed with another mechanism of action with an overlapping spectrum for the difficult to control weeds.
- Incorporate non-chemical weed control practices, such as mechanical cultivation, crop rotation, cover crops and weed-free crop seeds, as part of an integrated weed control program.
- Thoroughly clean plant residues from equipment before leaving fields suspected to contain resistant weeds.
- Manage weeds in and around fields, during and after harvest to reduce weed seed production.

Contact the local agricultural extension service, DuPont representative, agricultural retailer or crop consultant for further guidance on weed control practices as needed.

APPLICATION EQUIPMENT AND TECHNIQUES

DO NOT APPLY THIS PRODUCT TO ROUNDUP READY 2 XTEND® SOYBEANS USING AERIAL SPRAY EQUIPMENT.

Apply this product using properly maintained and calibrated equipment capable of delivering the desired volumes.

Using a hooded sprayer in combination with approved nozzles may further reduce drift potential.

SPRAY DRIFT MANAGEMENT

Do not allow herbicide solution to mist, drip, drift or splash onto desirable vegetation because severe injury or destruction to desirable broadleaf plants could result. The following drift management requirements must be followed.

Controlling Droplet Size

Drift potential may be reduced by applying large droplets that provide sufficient coverage and control. Applying larger droplets can reduce drift potential, but will not prevent drift if the application is made improperly, or under unfavorable environmental conditions (see the “**Wind Speed and Direction**”, “**Temperature and Humidity**” and “**Temperature Inversions**” sections of this label).

- **Nozzle type.** Use only Tee Jet® TTI11004 nozzle with a maximum operating pressure of 63 psi when applying DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology or any other approved nozzle found at www.fexapanapplicationrequirements.dupont.com. Do not use any other nozzle and pressure combination not specifically listed on this website.
- **Spray Volume.** Apply this product in a minimum of 10 gallons of spray solution per acre. Use a higher spray volume when treating dense vegetation. Higher spray volumes may also allow the use of larger nozzle orifices (sizes) which produce coarser spray droplets.
- **Equipment Ground Speed.** Select a ground speed that will deliver the desired spray volume while maintaining the desired spray pressure, but do not exceed a ground speed of 15 miles per hour. Slower speeds generally result in better spray coverage and deposition on the target area.
- **Spray boom Height.** Spray at the appropriate boom height based on nozzle selection and nozzle spacing, but do not exceed a boom height of 24 inches above target pest or crop canopy. Set boom to lowest effective height over the target pest or crop canopy based on equipment manufacturer's directions. Automated boom height controllers are recommended with large booms to better maintain optimum nozzle to canopy height. Excessive boom height will increase the drift potential.

Temperature and Humidity

When making applications in low relative humidity or temperatures above 91 degrees Fahrenheit, set up equipment to produce larger droplets to compensate for evaporation. Larger droplets have a lower surface to volume ratio and can be impacted less by temperature and humidity. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions

Do not apply this product during a temperature inversion. Drift potential can be high during a temperature inversion.

- During a temperature inversion, the atmosphere is very stable and vertical air mixing is restricted, which can cause 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 evenings and nights with limited cloud cover and light to no wind. Cooling of air at the earth's surface takes place and warmer air is trapped above it. They can 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.
- The inversion will often dissipate with increased winds (above 3 mph) or at sunrise when the surface air begins to warm (generally 3°F from morning low).

Wind Speed and Direction

- Drift potential is lowest between wind speeds of 3 to 10 miles per hour.
- Do not apply at wind speeds greater than 15 mph.
- For DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology wind speed and direction restrictions see below table:

Wind speed	Application conditions and restrictions
<3 mph	Do not apply DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology.
3-10 mph	Optimum application conditions for DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology provided all other application requirements in this label are met.
>10 – 15 mph	Do not apply product when wind is blowing toward non-target sensitive crops.
> 15 mph	Do not apply DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology.

NOTE: Local terrain can influence wind patterns. Every applicator must be familiar with local wind patterns and how they affect drift.

PROTECTION OF SENSITIVE AREAS

Maintain a 110 foot downwind buffer (when applying 22 fluid ounces of this product per acre) or a 220 foot downwind buffer (when applying 44 fluid ounces of this product per acre) between the last treated row and the closest downwind edge of the treated field (in the direction in which the wind is blowing). If any of the areas listed below are directly adjacent to the treated field, that area may be considered part of the buffer distance.

To maintain this required buffer zone:

- No application swath can be initiated in, or into an area that is within the applicable buffer distance.

The areas that may be included in the buffer distance calculation when adjacent to the treated field edges are as follows:

- Roads, paved or gravel surfaces,
- Planted agricultural fields containing: corn, dicamba tolerant cotton, dicamba tolerant soybean, sorghum, proso millet, small grains and sugarcane. If the applicator intends to include such crops as dicamba tolerant cotton and/or dicamba tolerant soybeans in the buffer distance calculation, the applicator must confirm the crops are in fact dicamba tolerant and not conventional cotton and/or soybeans.
- Agricultural fields that have been prepared for planting.
- Areas covered by the footprint of a building, silo, or other man made structure with walls and or roof.

Non-target Susceptible Crops

Failure to follow the requirements in this label could result in severe injury or destruction to desirable sensitive broadleaf crops and trees when contacting their roots, stems or foliage.

- Do not apply under circumstances where drift may occur to food, forage, or other plantings that might be damaged or the crops thereof rendered unfit for sale, use or consumption.
- Do not allow contact of herbicide with foliage, green stems, exposed non-woody roots of crops, and desirable plants, including beans, cotton, flowers, fruit trees, grapes, ornamentals, peas, potato, soybean, sunflower, tobacco, tomato, and other broadleaf plants because severe injury or destruction may result, including plants in a greenhouse.
- Small amounts of dicamba that may not be visible may injure susceptible broadleaf plants.
- Applicators are required to ensure that they are aware of the proximity to non-target susceptible crops, and to avoid potential adverse effects from drift DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology.

Before making an application, the applicator must survey the application site for neighboring non-target susceptible crops. The applicator must also consult sensitive crop registries to identify any commercial specialty or certified organic crops that may be located near the application site.

DO NOT APPLY this product when the wind is blowing toward adjacent commercially grown dicamba sensitive crops, including but not limited to, commercially grown tomatoes and other fruiting vegetables (EPA crop group 8), cucurbits (EPA crop group 9), and grapes.

Application Awareness

AVOIDING SPRAY DRIFT AT THE APPLICATION SITE IS THE RESPONSIBILITY OF THE APPLICATOR

The interaction of equipment and weather related factors must be monitored to maximize performance and on-target spray deposition. The applicator is responsible for considering all of these factors when making a spray decision. The applicator is responsible for compliance with state and local pesticide regulations, including any state or local pesticide drift regulations.

Proper spray system equipment cleanout

Minute quantities of dicamba may cause injury to non-dicamba-tolerant soybeans and other sensitive crops (see the “Non-target Susceptible Crops” section of this label for more information). Clean equipment immediately after using this product using a triple rinse procedure as follows:

1. After spraying, drain the sprayer (including boom and lines) immediately. Do not allow the spray solution to remain in the spray boom lines overnight prior to flushing.
2. Flush tank, hoses, boom and nozzles with clean water.
3. Inspect and clean all strainers, screens and filters.
4. Prepare a cleaning solution with a commercial detergent or sprayer cleaner or ammonia according to the manufacturer’s directions.

5. Take care to wash all parts of the tank, including the inside top surface. Start agitation in the sprayer and thoroughly recirculate the cleaning solution for at least 15 minutes. All visible deposits must be removed from the spraying system.
6. Flush hoses, spray lines and nozzles for at least 1 minute with the cleaning solution.
7. Repeat above steps for two additional times to accomplish an effective triple rinse.
8. Remove nozzles, screens and strainers and clean separately in the cleaning solution after completing the above procedures.
9. Appropriately dispose of rinsate from steps 1-7 in compliance with all applicable laws and regulations.
10. Drain sump, filter and lines.
11. Rinse the complete spraying system with clean water.

All rinse water must be disposed of in compliance with local, state, and federal requirements.

CROP ROTATIONAL RESTRICTIONS

No rotational cropping restrictions apply when rotating to Roundup Ready 2 Xtend® or cotton seed with XtendFlex® technology (including Bollgard® 3 XtendFlex® Cotton, Bollgard II® XtendFlex® Cotton, or XtendFlex® Cotton). For other crops the interval between application and planting rotational crop is given below. When counting days from the application of this product, do not count days when the ground is frozen. Planting at intervals less than specified below may result in crop injury. Moisture is essential for the degradation of this herbicide in soil. If dry weather prevails, use cultivation to allow herbicide contact with moist soil.

Planting/replanting restrictions for DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology applications of 33 fluid ounces per acre or less

For corn, cotton (except cotton seed with XtendFlex® technology), sorghum, and soybean (except Roundup Ready 2 Xtend® Soybeans), follow the planting restrictions in the directions for use for preplant application in the **Crop-Specific Information** of the label booklet. Do not plant barley, oat, wheat, and other grass seedings for 15 days for every 11 fluid ounces of this product applied per acre east of the Mississippi River and 22 days for every 11 fluid ounces per acre applied west of the Mississippi River. No planting restrictions apply beyond 120 days after application of this product.

Planting/replanting restrictions for applications of more than 33 fluid ounces and up to 44 fluid ounces of DuPont™ FeXapan™ herbicide Plus VaporGrip™ Technology per acre

Wait a minimum of 120 days after application of this product before planting corn, sorghum and cotton (except cotton seed with XtendFlex® technology) east of the Rocky Mountains and before planting all other crops (except Roundup Ready 2 Xtend® Soybeans) grown in areas receiving 30 inches or more rainfall annually. Wait a minimum of 180 days before planting crops in areas with less than 30 inches of annual rainfall. Wait a minimum of 30 days for every 22 fluid ounces of this product applied per acre before planting barley, oat, wheat, and other grass seedings east of the Mississippi River and 45 days for every 22 fluid ounces of this product applied per acre west of the Mississippi River.

LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read this Limitation of Warranty and Liability Before Buying or Using This Product. DuPont Will Not Be Responsible for Losses or Damages Resulting from the Use of This Product

in Any Manner Not Specifically Directed by DuPont. User Assumes All Risks Associated With Such Non-Directed Use.

If the Terms Are Not Acceptable, Return the Product at Once, Unopened, and the Purchase Price Will Be Refunded.

It is impossible to eliminate all risks associated with the use of this product. Such risks arise from weather conditions, soil factors, off target movement, unconventional farming techniques, presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of DuPont. These risks can cause: ineffectiveness of the product, crop injury, or injury to non-target crops or plants. WHEN YOU BUY OR USE THIS PRODUCT, YOU AGREE TO ACCEPT THESE RISKS.

DuPont warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purpose stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL DUPONT OR SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. BUYER'S OR USER'S BARGAINED-FOR EXPECTATION IS CROP PROTECTION. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE EXCLUSIVE LIABILITY OF DUPONT OR SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, TORT OR STRICT LIABILITY), WHETHER FROM FAILURE TO PERFORM OR INJURY TO CROPS OR OTHER PLANTS, AND 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 DUPONT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

Specifically, and without limiting the foregoing, DuPont MAKES NO RECOMMENDATION OR WARRANTY HEREIN REGARDING THE USE OF ANY PRODUCTS THAT MAY APPEAR ON THE WEBSITE REFERENCED IN THE TANK-MIXING INSTRUCTIONS HEREIN, REGARDLESS OF WHETHER SUCH PRODUCT IS USED ALONE OR IN A TANK MIX WITH DUPONT™ FEXAPAN™ HERBICIDE PLUS VAPORGRIP™ TECHNOLOGY. BUYER AND ALL USERS ARE SOLELY RESPONSIBLE FOR ANY LACK OF PERFORMANCE, LOSS, OR DAMAGE IN CONNECTION WITH THE USE OR HANDLING OF ANY SUCH PRODUCT ALONE OR IN A TANK MIX WITH DUPONT™ FEXAPAN™ HERBICIDE PLUS VAPORGRIP™ TECHNOLOGY.

For in-crop (over-the-top) uses on crops within the Roundup Ready® Xtend™ Crop System, crop safety and weed control performance are not warranted by DuPont when this product is used in conjunction with “brown bag” or “bin run” seed saved from previous year’s production and replanted.

To the extent consistent with applicable law that allows such requirement, DuPont or its Ag Retailer must have prompt notice of any claim so that an immediate inspection of buyer's or user's growing crops can be made. Buyer and all users shall promptly notify DuPont or a DuPont Ag Retailer of any claims, whether based on contract, negligence, strict liability, other tort or otherwise, or be barred from any remedy.

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

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