

# Aggressor<sup>®</sup> AX

## HERBICIDE



**ACTIVE INGREDIENT**

Quizalofop-P-ethyl (Ethyl (R)-2-[4-(6-chloroquinoxalin-2-yloxy)-phenoxy] propionate)..... 10.3%

**OTHER INGREDIENTS** ..... 89.7%

**TOTAL**..... 100.0%

Contains petroleum distillates.

\* Equivalent to 0.88 lb ai per gallon

### KEEP OUT OF REACH OF CHILDREN

## CAUTION/PRECAUCIÓN

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

For 24-hour chemical spill, leak, fire, exposure or accident response information,  
call CHEMTREC toll free at 1-800-424-9300.

**FIRST AID**

<b>IF SWALLOWED</b>	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor.</li> <li>• <b>DO NOT</b> induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• <b>DO NOT</b> give any liquid to the person.</li> <li>• <b>DO NOT</b> give anything by mouth to an unconscious person.</li> </ul>
<b>IF IN EYES</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF ON SKIN OR CLOTHING</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>

**NOTE TO PHYSICIAN**

May pose an aspiration pneumonia hazard. Contains petroleum distillate.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For non-emergency exposure information on this product, call 1-888-347-6732 (7 days/week, 24-hr). For medical emergencies, dial 911.

See inside booklet for complete First Aid, Precautionary Statements, Directions for Use, Storage and Disposal, and Conditions of Sale and Warranty.

*Provides Post-Emergence Control of Winter and Spring Annual Grasses in the CoAXium Wheat Production System and Wheat varieties with the AXigen trait.*

## SPECIMEN LABEL

Manufactured By:  
**ALBAUGH, LLC**

1525 NE 36th Street, Ankeny, IA 50021



**SELECTIVE HERBICIDE**



**ALBAUGH<sup>®</sup>**  
*your alternative*

EPA Reg. No. 45002-51

AD120222N

# PRECAUTIONARY STATEMENTS

## HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION/PRECAUCIÓN.** Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. 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-sleeved shirt and long pants.
- Chemical-resistant gloves made of barrier laminate or Viton  $\geq$  14 mils.
- Shoes plus socks.
- Protective eyewear.

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, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR part 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 thoroughly with soap and water after handling and 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 personal protective equipment immediately after handling AGGRESSOR AX. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### ENVIRONMENTAL HAZARDS

AGGRESSOR AX is toxic to fish and invertebrates. **DO NOT** apply directly to water, or to 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 or rinsate.

AGGRESSOR AX may contaminate water through drift of spray in wind. AGGRESSOR AX has a potential for runoff for several months or more after application. Poorly drained soils and soils with shallow water tables are more prone to produce runoff that contains AGGRESSOR AX. A level, well maintained vegetative buffer strip between areas in which the product is applied and surface water features including ponds, streams, and springs will reduce the potential for contamination of water from rainfall runoff. Runoff of AGGRESSOR AX will be reduced by avoiding application when rainfall is forecasted to occur within 48 hours. Sound erosion practices will reduce AGGRESSOR AX's contribution to surface water contamination.

### PHYSICAL AND CHEMICAL HAZARDS

**DO NOT** mix or allow contact with oxidizing agents. Hazardous chemical reaction may occur.

### DIRECTIONS FOR USE

It is a violation of federal law to use AGGRESSOR AX in a manner inconsistent with its labeling.

**DO NOT** apply AGGRESSOR AX 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.

AGGRESSOR AX is developed for use with the CoAXium Wheat Production System and wheat varieties that are developed with the AXigen trait and must be used only in accordance with label directions.

## AGRICULTURAL USE REQUIREMENTS

Use AGGRESSOR AX 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 AGGRESSOR AX that are covered by the Worker Protection Standard.

**DO NOT** enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

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

- Coveralls.
- Chemical-resistant gloves made of barrier laminate or Viton  $\geq$  14 mils.
- Shoes plus socks.
- Protective eyewear.

## ENVIRONMENTAL CONDITIONS AND BIOLOGICAL ACTIVITY

AGGRESSOR AX is a systemic grass herbicide designed for use only with the CoAxium Wheat Production System and wheat varieties certified to contain the AXigen trait.

AGGRESSOR AX is rapidly absorbed by treated foliage and translocated to the roots and other growing points of the plant. When affected, younger plant tissues become chlorotic/necrotic and eventually die, leaving treated plants stunted and noncompetitive. In general, these symptoms are first observed within 7 to 21 days after application depending on the grass species treated and the environmental conditions following the application.

Use of AGGRESSOR AX on non-CoAxium wheat varieties without the AXigen trait will result in permanent crop damage to the non-tolerant wheat variety.

The degree of control and duration of the effect of AGGRESSOR AX depends upon the rate used, weed spectrum, weed size and variability, growing conditions at and following treatment, soil moisture, precipitation, tank mixtures, application volume and spray adjuvant used.

Environmental conditions conducive to healthy, actively growing plants optimize the performance of AGGRESSOR AX. Environmental conditions including cold temperatures below 32° F 5 days before application or 5 days after application can cause significant crop response from the AGGRESSOR AX application. Heat units are needed to drive the plants metabolism and tolerance to the herbicide application. CoAxium wheat plants under environmental induced stress from the following but not limited to cold, excessive moisture, drought stress, low soil pH, improper variety selection and adaptation, diseases (root, crown and 4 foliar), etc. can lead to unacceptable crop response to AGGRESSOR AX applications

### **Unacceptable control may occur if AGGRESSOR AX is applied to grasses stressed from:**

- Abnormal weather (excessive heat or cold, or widely fluctuating temperatures),
- Hail damage,
- Drought,
- Water saturated soils,
- Mechanical injury, or
- Prior herbicide injury.

### **Grasses under these conditions are often less sensitive to herbicide activity. Delay application until the stress passes and weeds and crop resume growth.**

Before making applications of AGGRESSOR AX to crops previously under environmental induced stress, or injured from other pesticide applications, the crop needs to be fully recovered and growing vigorously.

AGGRESSOR AX is rainfast 1 hour after application.

## PRECAUTIONS

Injury to or loss of desirable trees, vegetation, or adjacent sensitive crops may result from failure to observe the following:

- Prevent drift of spray to desirable plants.
- Take all necessary precautions to prevent all direct or indirect contact (including spray drift) with non-target plants or areas. Most grass crops, including barley, rye, oats, sorghum, rice, and corn are highly sensitive to AGGRESSOR AX.
- Carefully observe all sprayer cleanup instructions both prior to and after using AGGRESSOR AX, as spray tank residue may damage crops other than those included in the crop rotation section.

### **RESTRICTIONS:**

- **DO NOT** contaminate any body of water.
- **DO NOT** apply AGGRESSOR AX through any type of irrigation system.

## APPLICATION INFORMATION

**Only use AGGRESSOR AX on CoAXium Wheat certified to have the AXigen trait.**

AGGRESSOR AX is a selective grass herbicide that controls annual and perennial grasses only in CoAXium Wheat varieties with the AXigen trait.

AGGRESSOR AX does not control sedges or broadleaf weeds.

**DO NOT** apply AGGRESSOR AX on ClearField wheat varieties as severe damage and loss will result.

Applied at specified rates and timings, AGGRESSOR AX controls the grasses listed in the “Weeds Controlled and Rate Selection” chart.

### APPLICATION TIMING

Apply AGGRESSOR AX to young, actively growing grasses according to the rate chart that follows. If a field is to be irrigated, apply AGGRESSOR AX after the irrigation. Applications made to grasses that: are larger than the sizes listed in the rate charts or to grasses under stress may result in unsatisfactory control.

### SEQUENTIAL APPLICATIONS

Sequential applications of AGGRESSOR AX can be made to CoAXium Wheat with the AXIGEN TRAIT but **DO NOT** exceed a total of 16 fl. oz. (0.11 lb AI) / acre per year.

On CoAXium Winter Wheat with the AXIGEN TRAIT a fall application of 8 fl.oz (0.055 lb AI) / acre can be made followed by a spring application of 8 fl. oz. (0.055 lb AI) / acre of AGGRESSOR AX.

### ANNUAL GRASSES

In the event of a subsequent flush of grass, or regrowth of previously treated grass occurs, a second application of AGGRESSOR AX may be applied but no more than 16 fl. oz. (0.11 lb AI) / acre of AGGRESSOR AX per crop year. Select the appropriate rate for the grassy weed from the “Weeds Controlled - Rate selection” chart.

### SPRAY ADJUVANTS

Applications of AGGRESSOR AX must include a surfactant. Consult local Albaugh fact sheets, technical bulletins, and service policies prior to using other adjuvant systems. If another herbicide is tank mixed with AGGRESSOR AX to increase the weed spectrum, select adjuvants authorized for use with both products. Products must contain only EPA-exempt ingredients.

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.

### Nonionic Surfactant (NIS)

- Apply at 0.25 – 0.50% v/v (1-2 quart of product per 100 gallons spray solution).
- Surfactant products must contain at least 80% nonionic surfactant with a hydrophilic/lipophilic balance (HLB) greater than 12.
- **Only use NIS in all fall applications** when CoAXium wheat is less than 2 tillers and temperatures are expected to remain below 32 F following application within 30 days.

### Petroleum Crop Oil Concentrate (COC)

- Petroleum-based crop oil concentrates are the preferred adjuvant system in arid areas.
- Apply petroleum-based crop oil concentrate at rates up to 1% v/v (1 gallon per 100 gallons spray solution) or 2% under arid conditions.
- Oil adjuvants must contain at least 80% high quality, petroleum (mineral) or modified vegetable seed oil with at least 15% surfactant emulsifiers.
- For aerial applications apply 0.5% v/v (2 quarts product per 100 gallons spray solution).
- **DO NOT** use COC's in fall applications when CoAXium wheat has less than 2 tillers and temperatures are expected to remain below 32 F following application within 30 days.

### Methylated Seed Oil (MSO)

- Apply methylated seed oil at rates up to 1% v/v (1 gallon per 100 gallons spray solution) For aerial applications apply 0.5% v/v (2 quarts product per 100 gallons spray solution).
- **DO NOT** use MSO's in fall applications when CoAXium wheat has less than 2 tillers and temperatures are expected to remain below 32 F following application within 30 days.

### Ammonium Nitrogen Fertilizer

- An ammonium nitrogen fertilizer may be added to the spray mixture, in addition to crop oil concentrate or nonionic surfactant, but is not required to optimize performance of AGGRESSOR AX.
- Use 2 quart/acre of a high-quality urea ammonium nitrate (UAN), including 28%N, 20% N or 32%N, or 2 lb/acre of a spray-grade ammonium sulfate (AMS). Use 4 quart/acre UAN or 4 pound/acre AMS under arid conditions.
- **DO NOT** apply more than 30% of your total spray volume as fertilizer.
- **DO NOT** use liquid nitrogen fertilizer as the total carrier solution.

### Special Adjuvant Types

Combination adjuvant products may be used at doses that provide the required amount of NIS, COC, MSO and/or ammonium nitrogen fertilizer. Consult product literature for use rates and restrictions. In addition to the adjuvants specified above, other adjuvant types may be used if they provide the same functionality and have been evaluated and approved by Albaugh Product Management.

## APPLICATION WITH INSECTICIDES, FUNGICIDES, AND PLANT GROWTH REGULATORS

AGGRESSOR AX may be tank mixed with postemergence insecticides, bactericides and fungicides registered for use in the specific crop and use pattern.

It is the pesticide user's responsibility to ensure that all products are registered for the intended use and safe to be applied with AGGRESSOR AX. 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.

Applications and resulting crop response of AGGRESSOR AX in tank-mix applications with insecticides and plant growth regulators will be the sole responsibility of the user. Biotic and abiotic stress factors and environmental crop stress factors can cause significant crop responses and are the sole responsibility of the user.

## APPLICATION WITH BROADLEAF HERBICIDES

AGGRESSOR AX does not have activity on broadleaf weeds.

For best grass weed control results and crop safety, apply AGGRESSOR AX alone or in sequence with and prior to a broadleaf herbicide application. AGGRESSOR AX can be applied in a tank-mix with a wide selection of broadleaf herbicides.

**DO NOT tank-mix AGGRESSOR AX with dimethylamine salt formulations of 2,4-D or MCPA as they are very antagonistic with AGGRESSOR AX and will severely reduce control or not provide any control of grassy weeds.**

**Ester formulations of 2,4-D or MCPA can be tank mixed with AGGRESSOR AX.**

**DO NOT tank-mix AGGRESSOR AX with metribuzin.**

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.

Under arid or stressful environmental conditions, tank mixtures with other broadleaf herbicides may show a small reduction in control of some grass species.

Activity of the postemergence broadleaf herbicide in the tank mixture is not affected.

### Split Applications with Postemergence Broadleaf Herbicides

Applying AGGRESSOR AX immediately prior to or following an application of a postemergence broadleaf herbicide may reduce control of some grassy weeds.

For best results, follow these directions when making split applications:

- Apply postemergence broadleaf herbicides at least 36 hours after applying AGGRESSOR AX
- Apply AGGRESSOR AX when grassy weeds begin to develop new leaves (generally 7 days after the postemergence broadleaf herbicide application) in fields treated with postemergence broadleaf herbicide.

## CROP ROTATION

**DO NOT** rotate to crops other than Canola, Cotton, Crambe, Dry Beans (including Chickpea), Flax, Lentils, Mint (Spearmint and Peppermint), Peas (Dry and Succulent Peas), Snap Beans, Soybeans, Sunflowers, Sugarbeets or wheat within 120 days after application.

**Precaution:** To reduce the risk of weed resistance development or gene-flow, follow the specified MOA rotational practices in the Resistance Management section before replanting CoAXium wheat.

## APPLICATION EQUIPMENT

See SPRAY DRIFT MANAGEMENT section for additional information and precautions.

### Ground Application

Broadcast Application

- Proper grassy weed spray coverage is critical to maximize the performance of AGGRESSOR AX.
- Use a minimum of 15 gallons of water per acre in non-arid areas when weed species are large or weed populations are medium to high.
- Use a minimum of 15 gallons of water per acre in arid areas and central plains states including AZ, CO, KS, NE OK, SD, TX & WY.
- When applying by ground, use spray nozzles that will deliver medium/coarse or larger spray droplets as defined in the ground broadcast American Society of Agricultural and Biological Engineers (ASABE) standard ANSI/ASAE S572.1 (March 2009).
- **DO NOT** exceed 40 gallons of water per acre.
- Increase spray volume and pressure as weed or crop density and weed size increase.

## Aerial Application

Apply AGGRESSOR AX in water using a minimum spray volume of 7 gals./A. **DO NOT** apply under conditions where uniform coverage cannot be obtained or where excessive spray drift may occur. Aerial application will not provide consistent control of grassy weeds due to challenges with weed coverage. If aerial application is used, weed control expectations should be reduced. Aerial applications must only be made when grassy weeds are 2-3 leaf or smaller.

- Make applications at a maximum height of 10ft. above the crop with low-drift nozzles at a maximum pressure of 40 psi and wind speed not exceeding 10 mph to help assure accurate application within the target area.
- When applying by air, use spray nozzles that will deliver coarse or larger spray droplets as defined in the American applications Society of Agricultural and Biological Engineers (ASABE) standard ANSIIASAE S572.1 (March 2009).

## MIXING INSTRUCTIONS

1. Fill the tank 1/4 to 1/3 full of water.
2. While agitating, add the required amount of AGGRESSOR AX. If AGGRESSOR AX and a tank mix partner are to be applied together, consult the tank mix partner label for information on which to add first (normally granules and powders are added first).
3. Continue agitation until AGGRESSOR AX is fully dispersed, at least 5 minutes.
4. Once AGGRESSOR AX is fully dispersed, maintain agitation and continue filling tank with water.
5. As the tank is filling, add the required volume of spray additives, always add these to the spray tank last.
6. Apply AGGRESSOR AX spray mixture within a reasonable period of time of mixing to avoid product degradation (24 to 48 hrs). If the spray mixture stands for any period of time, thoroughly re-agitate before using.

## SPRAYER CLEANUP

The spray equipment must be cleaned before AGGRESSOR AX is sprayed. Follow the cleanup procedures specified on the labels of the previously applied products. If no directions are provided, follow the six steps outlined in After Spraying AGGRESSOR AX. It is very important that any buildup of dried pesticide deposits which have accumulated in the application equipment be removed prior to spraying AGGRESSOR AX.

Steam-cleaning spray tanks to facilitate the removal of any caked deposits of previously applied products will help prevent accidental crop injury.

### At the End of the Day

It is advised that during periods when multiple loads of AGGRESSOR AX are applied, at the end of each day of spraying the interior of the tank be rinsed with fresh water and then partially filled, and the boom and hoses flushed. This will prevent the buildup of dried pesticide deposits which can accumulate in the application equipment.

### After Spraying AGGRESSOR AX and Before Spraying Crops Other Than Those Listed in the Crop Rotation Section

To prevent subsequent injury to desirable crops, thoroughly clean all mixing and spray equipment immediately following applications of AGGRESSOR AX as follows:

1. Drain tank; thoroughly rinse spray tanks, boom, and hoses with clean water. Loosen and physically remove any visible deposits.
2. Fill the tank with clean water and 1 gal of household ammonia\* (contains 3% active) for every 100 gal of water. Flush the hoses, boom, and nozzles with the cleaning solution. Then add more water to completely fill the tank. Circulate the cleaning solution through the tank and hoses for at least 15 min. Flush the hoses, boom, and nozzles again with the cleaning solution, and then drain the tank.
3. Remove the nozzles and screens and clean separately in a bucket containing cleaning agent and water.
4. Repeat step 2.
5. Rinse the tank, boom, and hoses with clean water.
6. If only Ammonia is used as a cleaner, the rinsate solution may be applied back to the crop(s) recommended on this label. **DO NOT** exceed the maximum labeled use rate. If other cleaners are used, consult the cleaner label for rinsate disposal instructions. If no instructions are given, dispose of the rinsate on site or at an approved waste disposal facility.

\* Equivalent amounts of an alternate-strength ammonia solution or an Albaugh-approved cleaner can be used in the cleanout procedure. Carefully read and follow the individual cleaner instructions. Consult your Ag dealer, applicator, or Albaugh representative for a listing of approved dealers.

### NOTES:

1. CAUTION: **DO NOT** use chlorine bleach with ammonia as dangerous gases will form. **DO NOT** clean equipment in an enclosed area.
2. Steam-cleaning spray tanks is recommended prior to performing the above cleanout procedure to facilitate the removal of any caked deposits.
3. When AGGRESSOR AX is tank mixed with other pesticides, examine all cleanout procedures and the most rigorous procedure must be followed.
4. In addition to this cleanout procedure, all pre-cleanout guidelines on subsequently applied products must be followed as per the individual labels.
5. Where routine spraying practices include shared equipment frequently being switched between applications of AGGRESSOR AX and applications of other pesticides to AGGRESSOR AX-sensitive crops during the same spray season, it is advised that a sprayer be dedicated to AGGRESSOR AX to further reduce the chance of crop injury.

# SPRAY DRIFT MANAGEMENT

AVOIDING SPRAY DRIFT IS THE RESPONSIBILITY OF THE APPLICATOR.

The interaction of many equipment and weather-related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making application decisions.

## Importance of Droplet Size

The most effective way to reduce drift potential is to apply large droplets (>150 - 200 microns). The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. The presence of sensitive species nearby, the environmental conditions, and pest pressure may affect how an applicator balances drift control and coverage. 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 of this label.

## Controlling Droplet Size - General Techniques

**Volume** - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.

**Pressure** - Use the lower spray pressures recommended for the nozzle. Higher pressure reduces droplet size and does not improve canopy penetration. WHEN HIGHER FLOW RATES ARE NEEDED, USE A HIGHER-CAPACITY NOZZLE INSTEAD OF INCREASING PRESSURE.

**Nozzle Type** - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles.

## Controlling Droplet Size - Aircraft

**Number of Nozzles** - Use the minimum number of nozzles with the highest flow rate that provide uniform coverage.

**Nozzle Orientation** - Orienting nozzles so that the spray is emitted backwards, parallel to the airstream will produce larger droplets than other orientations.

**Nozzle Type** - Solid stream nozzles (including disc and core with swirl plate removed) oriented straight back produce larger droplets than other nozzle types.

**Boom Length** - The boom length cannot exceed 3/4 of the wing or rotor length - longer booms increase drift potential.

**Application Height** - Application more than 10 ft above the canopy increases the potential for spray drift.

## Boom Height

Setting the boom at the lowest labeled height (if specified) which provides uniform coverage reduces the exposure of droplets to evaporation and wind. For ground equipment, keep the boom level with the crop with minimal bounce.

## Wind

Drift potential increases at wind speeds of less than 3 mph (due to inversion potential) or more than 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given wind speed. **AVOID GUSTY OR WINDLESS CONDITIONS.**

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

## Temperature and Humidity

When making applications in hot and dry conditions, set up equipment to produce larger droplets to reduce effects of evaporation.

## Temperature Inversions

Drift potential is high during a temperature inversion. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain close to the ground and move laterally in a concentrated cloud. Temperature inversions are characterized by increasing temperature 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.

## Shielded Sprayers

Shielding the boom or individual nozzles can reduce the effects of wind. However, it is the responsibility of the applicator to verify that the shields are preventing drift and not interfering with uniform deposition of the product.

# RESISTANCE MANAGEMENT

QUIZALOFOP-P-ETHYL	GROUP	<b>1</b>	HERBICIDE
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Quizalofop-P-ethyl is in the class of herbicides known as aryloxyphenoxypropionates (FOPs) within the Group 1 herbicides that inhibit the enzyme acetyl-CoA carboxylase (ACCase) in weeds.

AGGRESSOR AX will not control grassy weeds with ACCase or Group 1 mode of action herbicide resistance.

Some weeds are known to develop resistance to herbicides that have been used repeatedly. While the development of herbicide resistance is well understood, it is not easily predicted. Therefore, herbicides must be used in conjunction with the resistance management strategies in the area. If herbicide resistance should develop in the area, AGGRESSOR AX used alone may not continue to provide sufficient levels of weed control.

If the reduced levels of control cannot be attributed to improper application techniques, improper use rates, improper application timing, unfavorable weather conditions or abnormally high weed pressure, weed stage of growth, a resistant strain of weeds may have developed.

Suspected herbicide-resistant weeds may be identified by these indicators:

- Failure to control a weed species normally controlled by the herbicide at the dose applied, especially if control is achieved on adjacent weeds
- A spreading patch of non-controlled plants of a particular weed species; and
- Surviving plants mixed with controlled individuals of the same species

The following Best Management Practices (BMP) will reduce the potential for weed resistance:

- Ensure that good spray coverage is achieved with proper spray volumes and calibrated equipment.
- Plant into weed-free fields and keep fields as weed-free as possible.
- Avoid tank mixes that may cause antagonism and reduced weed control.
- Where possible, avoid the repeated use of herbicides with the same mode of action (i.e., same group number) in successive seasons either in cereal crops or rotational crops.
- Use mechanical cultivation, fertilizer regimens, seeding rates and row widths that enhance crop competitiveness.
- Prevent weed escapes from producing seed either in the crop or during fallow periods.
- Always apply AGGRESSOR AX at the specified rates and in accordance with the use directions. **DO NOT** use less than specified label rates alone or in tank mixtures. **DO NOT** use reduced rates of the tank mix partner.
- Scout fields carefully to determine the appropriate time for application.
- Scout fields carefully after application for performance in control of weeds.
- Prevent an influx of weeds into the field by managing field borders.
- If resistance is suspected, contact the local or State agricultural advisors or your local Albaugh representative for assistance at 1-800-247-8013.

To better manage herbicide resistance through delaying the proliferation and possible dominance of herbicide resistant weed biotypes, it may be necessary to change cultural practices within and between crop seasons including using a combination of tillage, retreatment, tank-mix partners and/or sequential herbicide applications that have a different site of action. Weed escapes that are allowed to go to seed will promote the spread of resistant biotypes.

It is advisable to keep accurate records of pesticides applied to individual fields to help obtain information on the spread and dispersal of resistant biotypes. Consult your agricultural dealer, consultant, applicator, and/or appropriate state agricultural extension service representative for specific alternative cultural practices or herbicide recommendations available in your area.

## CoAXium Wheat Production System Rotational Practices

To prolong the utility of the AXigen trait, CoAXium Wheat Production System and AGGRESSOR AX, stewardship is critical. Albaugh recommends the following wheat crop rotational practices to minimize resistance and gene-flow development that can be induced if not properly managed.

Annual Wheat Crop Rotation*				
<b>(DO NOT use CoAXium Wheat Production System for 2 consecutive crop cycles)</b>				
Crop Year	1	2	3	4
Crop	CoAXium Wheat	Group 2 MoA tolerant wheat variety	CoAXium Wheat	Group 2 MoA tolerant wheat variety
Weed Control Method	AGGRESSOR AX Group 1 MoA		AGGRESSOR AX Group 1 MoA	

\*Utilize glyphosate and/or tillage to control annual grassy weeds and volunteer wheat between crop cycles



2-Year Wheat-Fallow Crop Rotation ( <b>DO NOT</b> use CoAXium Wheat Production System more than 3 out of 6 years)				
Crop Year	1	2	3	4
Crop	CoAXium Wheat	Fallow	CoAXium Wheat	Fallow
Weed Control Method	AGGRESSOR AX Group 1 MoA	Glyphosate* Group 9 MoA	AGGRESSOR AX Group 1 MoA	Glyphosate* Group 9 MoA

\*Utilize glyphosate and/or tillage to control annual grassy weeds and volunteer wheat between crop cycles

3-Year Wheat-Fallow-Spring Crop Rotation ( <b>DO NOT</b> use CoAXium Wheat Production System more than 3 out of 6 years)				
Crop Year	1	2	3	4
Crop	CoAXium Wheat	Fallow	CoAXium Wheat	Spring Crop**
Weed Control Method	AGGRESSOR AX Group 1 MoA	Glyphosate* Group 9 MoA	AGGRESSOR AX Group 1 MoA	

\*Utilize glyphosate and/or tillage to control annual grassy weeds and volunteer wheat between crop cycles

\*\* In spring crop year use alternate mode of action herbicide and not a Group 1 herbicide - If a group 1 herbicide is used for grass control in legumes, use a “dim” and not a “fop”

Growers must contact their local Albaugh representative with any questions regarding CoAXium Wheat rotational practices.

### CoAXium SPRING WHEAT with the AXigen Trait

AGGRESSOR AX can be applied postemergence only with the CoAXium Wheat Production System and spring wheat varieties certified to contain the AXigen Trait. Contact your seed supplier, chemical dealer or Albaugh representative to obtain information about the CoAXium Wheat Production System and wheat varieties with the AXigen trait and AGGRESSOR AX.

**DO NOT** apply to spring wheat varieties that do not have the AXigen trait and tolerance to AGGRESSOR AX.

AGGRESSOR AX will only control grassy weeds that have emerged. Any grassy weeds that emerge after application will not be controlled. Apply when the majority of grassy weeds have germinated and emerged.

AGGRESSOR AX is effective in controlling weeds in conservation tillage and conventional tillage wheat production systems.

Weed control is optimized when AGGRESSOR AX is applied to actively growing wheat and targeted grassy weeds.

#### APPLICATION TIMING

Apply AGGRESSOR AX as an early postemergence treatment when weeds are actively growing and before grasses exceed 4 to 5 leaves. Apply AGGRESSOR AX to CoAXium Wheat and varieties with the AXigen Trait after 4 leaf but prior to jointing.

Delay application until the majority of the weeds are at the specified growth stage. When a mixture of grasses and broadleaf weeds are present, time the application to the grass weeds for best results. Depending upon the canopy of the broadleaf weeds, ensure good spray coverage for grass control.

Weed control can be reduced if there are excessive flushes of weeds following an application.

#### USE RATE

Apply 8 - 16 fl. oz. AGGRESSOR AX (0.055 – 0.11 lbs AI) / Acre.

See **WEEDS CONTROLLED AND RATE SELECTION** Table for detailed use rate specifications.

#### PRECAUTIONS:

- Occasionally, reduction in plant height or temporary yellowing of crop plants may occur following AGGRESSOR AX applications. These effects, which occur infrequently and are temporary, can be more pronounced if crops are growing in a stressful environmental condition. Normal growth and appearance should resume within 1-3 weeks. These effects can be more pronounced in spray overlap areas and/or if crops are growing under stressful environmental conditions (including, but not limited to, soil pH, drought, excessive moisture, improper fertility, improper varietal adaptation, poor planting conditions, etc.).
- Crop response associated with stress conditions, fertility and overlaps shall be the responsibility of the user.
- To avoid possible crop injury, **DO NOT** apply AGGRESSOR AX to CoAXium Wheat Production System and varieties with the AXigen Trait when extreme cold temperatures (less than 40° F maximum daytime temperature) are expected within 1 week of application.
- A thin stand of wheat may result in unacceptable weed control.
- Activity on established weeds will depend on the weed species and the size of the weed species at the time of application.
- DO NOT** make applications if the temperatures are expected to be below 32 degrees either 5 days before or after the application.

### **RESTRICTIONS:**

- **DO NOT** apply more than a total of 16 fl. oz. AGGRESSOR AX (0.11 lbs. AI) per acre per year.
- **DO NOT** apply more than 16 fl. oz. AGGRESSOR AX per acre (0.11 lbs. AI) per single application.
- **DO NOT** make more than 1 application per year of AGGRESSOR AX at 16 fl. oz. (0.11 lbs. AI), or 2 applications per year at 8 fl. oz. (0.055 lb AI). **DO NOT** exceed 16 fl. oz. (0.11 lbs. AI) per acre per year.
- **DO NOT** make a second application within 14 days of first application OF AGGRESSOR AX.
- **DO NOT** harvest treated wheat for forage or hay within 60 days of the last application of AGGRESSOR AX. Treated wheat can be harvested for grain or straw at maturity.

### **CoAXium WINTER WHEAT with the AXigen Trait**

AGGRESSOR AX can be applied postemergence only with the CoAXium Wheat Production System and winter wheat varieties certified to contain the AXigen Trait. Contact your seed supplier, chemical dealer or Albaugh representative to obtain information about the CoAXium Wheat Production System and wheat varieties with the AXigen trait and tolerance to AGGRESSOR AX.

**DO NOT** apply AGGRESSOR AX to winter wheat varieties that do not have the AXigen trait and tolerance to AGGRESSOR AX herbicide.

**DO NOT** apply AGGRESSOR AX to Clearfield winter wheat varieties.

AGGRESSOR AX will only control grassy weeds that have emerged. Any grassy weeds that emerge after application will not be controlled. Apply AGGRESSOR AX when the majority of grassy weeds have germinated and emerged.

AGGRESSOR AX is effective in controlling weeds in conservation tillage and conventional tillage wheat production systems.

Weed control is optimized when AGGRESSOR AX is applied to actively growing CoAXium wheat and targeted grassy weeds.

### **APPLICATION TIMING**

AGGRESSOR AX can be applied to winter wheat in the fall/winter or spring for winter or spring annual grassy weed control.

Apply AGGRESSOR AX as an early postemergence treatment when weeds are actively growing and before grasses exceed 4 to 5 leaves. Apply AGGRESSOR AX to CoAXium Wheat and varieties with the AXigen Trait after 4 leaf stage but prior to jointing.

Delay application until the majority of the weeds are at the specified growth stage. When a mixture of grasses and broadleaf weeds are present, time the application to the grass weeds for best results. Depending upon the canopy of the broadleaf weeds, ensure good spray coverage for grass control.

Weed control can be reduced if there are excessive flushes of weeds following an application.

### **USE RATE**

Apply 8 - 12 fl. oz. AGGRESSOR AX (0.055 – 0.0825 lb AI) in a single application per acre. See Weeds Controlled section for detailed use rate specifications.

Fall applications to winter wheat can be made with AGGRESSOR AX at rates from 8 – 12 fl. oz. (0.055 – 0.0825 lb AI) / Acre.

Spring applications made on winter wheat can be made with AGGRESSOR AX at rates from 8 – 12 fl. oz. (0.055 – 0.0825 lb AI) / Acre.

Fall and spring split applications can be made with AGGRESSOR AX at a single rate of 8 fl. oz. (0.055 lb AI) / Acre in the fall followed by 8 fl. oz. (0.055 lb AI) / Acre in the spring.

See **WEEDS CONTROLLED AND RATE SELECTION** Table for detailed use rate specifications.

### **PRECAUTIONS:**

- Application of AGGRESSOR AX to weeds that have been grazed may result in reduced weed control. For optimum weed control, allow a period of 14-21 days between the end of grazing and AGGRESSOR AX application allowing for grassy weed regrowth to occur. Under cold conditions, wait until new growth of grassy weeds is evident before applying AGGRESSOR AX in fields that have been grazed.
- A thin stand of wheat may result in lack of crop competition and unacceptable weed control.
- CoAXium wheat is quizalofop-p-ethyl tolerant and occasionally, reduction in plant height or temporary yellowing of crop plants may occur following AGGRESSOR AX applications depending on environmental conditions and temperatures below 40 degrees following the application. These effects can be more pronounced in spray overlap areas and/or if crops are growing under stressful environmental conditions (including, but not limited to, drought, excessive moisture, improper fertility, improper varietal adaptation, poor planting conditions, etc.).
- To prevent possible crop injury, **DO NOT** apply AGGRESSOR AX to CoAXium Wheat Production System and varieties with the AXigen Trait when extreme cold temperatures (less than 40° F maximum daytime temperature) are expected within 1 week prior to or after the application of AGGRESSOR AX.
- Crop response associated with environmental stress conditions and overlaps shall be the responsibility of the user.
- Crop response from applications of AGGRESSOR AX can occur with CoAXium wheat when weed pressure is so significant that it causes interplant competition with the wheat crop for space, nutrients and moisture.

**RESTRICTIONS:**

- **DO NOT** apply more than 16 fl. oz. AGGRESSOR AX/acre (0.11 lb AI) / Acre per year.
- **DO NOT** apply more than 12 fl. oz. AGGRESSOR AX/acre (0.0825 lb AI) / Acre in a single application.
- **DO NOT** make more than 1 application per year of AGGRESSOR AX at the 12 fl. oz. (0.0825 lb AI) or 2 applications per year at 8 fl. oz. (0.055 lb AI). **DO NOT** exceed 16 fl. oz. (0.11 lbs. AI) per acre per year.
- **DO NOT** make a second application within 14 days of first application of AGGRESSOR AX.
- **DO NOT** harvest treated wheat for forage or hay within 60 days of the last application of AGGRESSOR AX. Treated wheat can be harvested for grain or straw at maturity.

<b>WEEDS CONTROLLED AND RATE SELECTION</b>			
(Refer to the “Spring Wheat Restrictions” and “Winter Wheat Restrictions” for application limitations for single and split applications)			
Contact your local sales representative, crop advisor, or extension agent to find out if suspected resistant weeds to quizalofop-P-ethyl or other Group 1 herbicides have been found in your region. If resistant biotypes of target weeds have been reported, use the application rates of AGGRESSOR AX specified for your local conditions. Tank mix products so that there are multiple effective mechanisms of actions for each target weed.			
	<b>Size at Application (height inches)</b>	<b>AGGRESSOR AX Applied Alone fl. oz. product / A (lbs AI / A)</b>	<b>AGGRESSOR AX Tank Mixed with Broadleaf Herbicide* fl.oz. product / A (lbs AI / A)</b>
<b>ANNUAL GRASSES**</b>			
Volunteer Corn ( <i>Zea mays</i> )***	6-30	8 – 12 (0.055 – 0.0825 lbs AI)	10 – 12 (0.068 – 0.0825 lbs AI)
Foxtail, Giant ( <i>Setaria faberi</i> )	2-4 (pre-tiller)		
Johnsongrass, Seedling ( <i>Sorghum halepense</i> )	2-8		
Shattercane ( <i>Sorghum bicolor</i> )	6-12		
Wild Proso Millet ( <i>Panicum miliaceum</i> )	2-6		
Crowfootgrass ( <i>Dactyloctenium aegyptium</i> )	2-6	8 – 12 (0.055 – 0.0825 lbs AI)	12 (0.0825 lbs AI)
Fall Panicum ( <i>Panicum dactyloides</i> )	2-6		
Field Sandbur ( <i>Cenchrus incertus</i> )	2-6		
Foxtail, Bristly ( <i>Setaria verticillata</i> )	2-4		
Foxtail, Giant ( <i>Setaria faberi</i> )	2-8		
Foxtail, Green ( <i>Setaria viridis</i> )	2-4		
Foxtail, Yellow ( <i>Setaria lutescens</i> )	2-4		
Goosegrass ( <i>Eleusine indica</i> )	2-6 †		
Itchgrass ( <i>Rottboellia exaltata</i> )	2-8		
Sprangletop ( <i>Leptochloa filiformis</i> )	2-6		
Volunteer Barley ( <i>Hordeum vulgare</i> )	2-6		
Volunteer Oats ( <i>Avena sativa</i> )	2-6		
Volunteer Rye ( <i>Secale cereale</i> )	2-6		
Volunteer Wheat ( <i>Triticum aestivum</i> ) (non-QPE tolerant)	2-6		
Wild Oat ( <i>Avena fatua</i> )	2-6		
Witchgrass ( <i>Panicum capillare</i> )	2-6		

(continued)

**WEEDS CONTROLLED AND RATE SELECTION** *(continued)*

(Refer to the "Spring Wheat Restrictions" and "Winter Wheat Restrictions" for application limitations for single and split applications)

Contact your local sales representative, crop advisor, or extension agent to find out if suspected resistant weeds to quizalofop-P-ethyl or other Group 1 herbicides have been found in your region. If resistant biotypes of target weeds have been reported, use the application rates of AGGRESSOR AX specified for your local conditions. Tank mix products so that there are multiple effective mechanisms of actions for each target weed.

	<b>Size at Application (height inches)</b>	<b>AGGRESSOR AX Applied Alone fl. oz. product / A (lbs AI / A)</b>	<b>AGGRESSOR AX Tank Mixed with Broadleaf Herbicide* fl.oz. product / A (lbs AI / A)</b>	
<b>ANNUAL GRASSES**</b>				
Rye, Feral or Cereal ( <i>Secale cereale</i> )	1-4	10 – 12 (0.068 – 0.0825 lbs AI)	12 (0.0825 lbs AI)	
Barnyardgrass ( <i>Echinochloa crus-galli</i> )	2-6	8 – 12 (0.055 – 0.0825 lbs AI)	†	
Crabgrass, Large ( <i>Digitaria sanguinalis</i> )	2-6 ‡			
Crabgrass, Smooth ( <i>Digitaria ischaemum</i> )	2-6 ‡			
Junglerice ( <i>Echinochloa colonum</i> )	2-6			10 – 12 (0.068 – 0.0825 lbs AI)
Texas Panicum ( <i>Panicum texanum</i> ) ††	2-4			†
Red Rice ( <i>Oryza sativa</i> )	1-4	8 – 10 (0.055 – 0.068 lbs AI)	†	
Woolly Cupgrass ( <i>Eriochloa villosa</i> )	2-4 §			
Broadleaf Signalgrass ( <i>Brachiaria platyphylla</i> )	2-6	10 (0.068 lbs AI)	†	
Jointed goatgrass ( <i>Aegilops cylindrica</i> )	2-6	10 – 12 (0.068 – 0.0825 lbs AI)	12 (0.0825 lbs AI)	
Italian ryegrass ( <i>Lolium multiflorum</i> )	2-6	8 – 12 (0.055 – 0.0825 lbs AI)		
Rescue grass ( <i>Bromus catharticus</i> )				
Downy brome ( <i>Bromus tectorum</i> )				
Windgrass ( <i>Bromus mollis</i> )				
Japanese brome ( <i>Bromus arvensis</i> )				
<b>PERENNIAL GRASSES**</b>				
Wirestem Muhly ( <i>Muhlenbergia frondosa</i> )	4-8	8 – 10 (0.055 – 0.068 lbs AI)	†	
Bermudagrass ( <i>Cynodon dactylon</i> )	3" tall (or 6" runners)	10 – 12 (0.068 – 0.0825 lbs AI)	†	
Johnsongrass, Rhizome ( <i>Sorghum halepense</i> )	10-24		10 (0.068 lbs AI)	
Quackgrass ( <i>Agropyron repens</i> )	6-10		†	

\* See "Applications With Broadleaf Herbicides"

\*\* For annual and perennial grasses, up to 12 fl. oz. Aggressor AX (0.0825 lbs AI) / Acre may be applied, based on local recommendations. Under arid conditions apply at the higher rate.

\*\*\* Control includes Roundup Ready (glyphosate resistant), Liberty Link, and IMI-Corn varieties. Apply 8 fl. oz. AGGRESSOR AX (0.055 lb AI) for control of volunteer corn.

† May not be controlled adequately using a tank mix with broadleaf herbicides. For best results, alternate application of AGGRESSOR AX with a broadleaf herbicide, ensuring that AGGRESSOR AX is applied either 24 hours before or 7 days after the broadleaf herbicide.

‡ Length of lateral growth

§ Size in height or diameter, whichever is more restrictive. Applications to plants with more than three tillers may result in unsatisfactory control.

†† In Texas and other areas of the arid west, apply at 10 fluid ounces per acre for control of Texas panicum, use of lower rates may result in unsatisfactory control.

# STORAGE AND DISPOSAL

**DO NOT** contaminate water, food, or feed by storage or disposal.

**PESTICIDE STORAGE:** Store product in original container only. **DO NOT** contaminate water, other pesticides, fertilizer, food or feed in storage. Store in a cool, dry place.

**PRODUCT DISPOSAL:** Waste resulting from the use of AGGRESSOR AX must be disposed of on site or at an approved waste disposal facility.

**CONTAINER HANDLING:** Refer to the Net Contents section of AGGRESSOR AX's labeling for the applicable "Nonrefillable Container" or "Refillable Container" designation.

Nonrefillable Rigid Plastic and Metal Containers (Capacity Equal to or Less Than 5 Gallons):

Nonrefillable 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, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. **DO NOT** burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Nonrefillable Rigid Plastic and Metal Containers (Capacity Greater Than 5 Gallons): Nonrefillable 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 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. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. **DO NOT** burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

## 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 AGGRESSOR AX. If the terms are not acceptable, return the product at once, unopened and the purchase price will be refunded.

The Directions for Use of AGGRESSOR AX must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of AGGRESSOR AX. 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 AGGRESSOR AX, which are beyond the control of ALBAUGH, LLC or 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 ALBAUGH, LLC and Seller harmless for any claims relating to such factors.

ALBAUGH, LLC warrants that AGGRESSOR AX conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. To the extent consistent with applicable law, this warranty does not extend to the use of the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or ALBAUGH, LLC and Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ALBAUGH, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent consistent with applicable law, in no event shall ALBAUGH, LLC or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of AGGRESSOR AX. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ALBAUGH, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF AGGRESSOR AX, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ALBAUGH, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

ALBAUGH, LLC and Seller offer AGGRESSOR AX, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by a duly authorized representative of ALBAUGH, LLC.

All trademarks are the property of their respective owners.