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Loveland PRODUCTS

GROUP 3 | 13 HERBICIDE

STRATEGY™

A Selective Herbicide For Preemergence Control of Certain Annual Grasses and Broadleaf Weeds in Cucumbers, Melons, Pumpkins, Squash, and Watermelons.

ACTIVE INGREDIENT:

Ethalfluralin: N-ethyl-N-(2-methyl-2-propenyl) -2,6-dinitro-4-(trifluoromethyl)benzenamine	18.2%
Clomazone: 2-(2-Chlorophenyl)methyl-4,4-dimethyl-3-isoxazolidinone	5.6%
OTHER INGREDIENTS*	76.2%
TOTAL	100.0%

Contains 1.6 pounds of ethalfluralin per gallon. Contains 0.5 pound of clomazone per gallon.
*Contains petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

CAUTION

For Additional Precautionary Statements, Complete First Aid, Directions for Use, Storage and Disposal and Other Use Information, See Inside This Label Booklet.

EPA REG. NO. 34704-836

EPA EST. NO. 34704-MS-001

NET CONTENTS 2.5 GAL (9.46 L)

102715 V1D 11W15

FORMULATED FOR
LOVELAND PRODUCTS, INC.®, P.O. BOX 1286, GREELEY, COLORADO 80632-1286

FIRST AID STATEMENTS

Have the product container label with you when calling a poison control center or doctor or going for treatment.

If swallowed:	• Call a poison control center or doctor immediately for treatment advice. • Do not give any liquid to the person. • 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 inhaled:	• Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further 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.

Note to Physician: This product may pose an aspiration pneumonia hazard. Contains Petroleum distillates.
FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL: 1-866-944-8565.

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. This product may cause skin reaction in certain individuals.

Personal Protective Equipment:

Some materials that are chemical-resistant to this product are listed below.

Applicators and other handlers must wear:

- Coveralls,
- Long-sleeved shirt and long pants,
- Chemical-resistant gloves, such as barrier laminate or viton,
- Shoes plus socks, protective eyewear.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

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

Engineering controls statements:

When handlers use closed systems or enclosed cabs in a manner that meets with 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 pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate. Runoff or erosion from treated areas may be hazardous to fish in neighboring areas. Due to risk to plants and animals in aquatic habitats that receive runoff containing this product, use of controls such as a vegetative buffer strip to filter such water flow from recently treated fields is recommended.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 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-sleeved shirt and long pants,
- Chemical-resistant gloves, such as barrier laminate or viton,
- Shoes plus socks, protective eyewear.

APPLICATION RESTRICTIONS AND PRECAUTIONS

Failure to observe the precautions in this section of the label may result in injury to sensitive plants.

- The microencapsulation of this product is intended to minimize movement away from the site of application. Avoid making applications when spray particles may be carried by air currents to areas where sensitive crops and plants are growing, or when temperature inversions exist. Leave an adequate buffer zone between the area to be treated and desirable plants. Coarse sprays are less likely to drift out of the target area than fine sprays.
- Foliar contact with spray drift or vapors may cause foliar whitening or yellowing of sensitive plants. Symptoms are generally temporary in nature, but may persist on some plant species.

APPLICATION RESTRICTIONS:

- Do not apply aerially or through irrigation equipment.
- Observe all buffer restrictions.
- Do not apply product within 300 feet of the following areas: Towns and Housing Developments, Commercial Fruit/Nut or Vegetable* production, Commercial Greenhouses or Nurseries.
- Before application, determine air movement and direction.
- Do not apply product to non-field areas including fence rows, water ways, ditches and roadsides.
- When moving spray equipment to noncontiguous sites, do not allow spray solution to spray or drip from the tanks, hoses, fitting or spray nozzles and tips.

USE PRECAUTIONS:

- **Do not incorporate Strategy™ prior to planting as crop loss will occur.**
- **Do not use Strategy under or over row covers, hot caps, plastic mulches, or other plant covers as severe crop injury will occur.**
- **Do not make broadcast application to transplants.**
- **Under cool temperature conditions that can delay early seedling emergence or growth, Strategy can cause plant injury or crop failure. Be especially cautious during first planting of season when this condition is likely to occur.**

SPRAY DRIFT MANAGEMENT

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. AVOIDING SPRAY DRIFT IS THE RESPONSIBILITY OF THE APPLICATOR.

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 sufficient 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)

CONTROLLING DROPLET SIZE

- Volume - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- 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.
- 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. Solid stream nozzles oriented straight back produce the largest droplets and the lowest 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. The boom should remain level with the ground surface/existing vegetation and have minimal bounce.

WIND

Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Do not apply in winds above 10 miles per hour. AVOID GUSTY OR WINDLESS CONDITIONS.

TEMPERATURE AND HUMIDITY

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation.

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 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.

SPRAYER CLEANUP

Do not drain or flush equipment on or near desirable trees or other plants, or in areas where their roots may extend or in locations where the chemical may be washed or move into contact with their roots. Do not contaminate any body of water including irrigation water that may be used on other crops. Carefully follow sprayer clean-up instructions noted below to prevent spray tank residues from damaging other crops.

Sprayer equipment should be thoroughly rinsed to remove residues of herbicide that might injure other subsequently sprayed crops. The steps below should be followed for the thorough rinsing of spray equipment following applications of Strategy.

1) Drain any remaining spray solution from tank, pump, hoses and boom and discard in an approved manner.
2) Clean tank and fittings by:
   - Thoroughly hosing down the inside walls of the spray tank with a quantity of water equal to 1/2 of the total tank capacity and operating the pump to circulate this solution through the sprayer system for 15 minutes.
   - Washing down the outside surfaces of equipment.

- Removing nozzle tip and screen from end nozzle in each boom section and allowing several gallons of rinsate solution to flush completely thorough boom (collect rinsate while flushing).

3) Thoroughly drain remaining rinsate solution from tank, pump and hoses. Combine the boom flushing and dispose of all rinsate from the first rinsing in an approved manner.
   - When switching from water dilutions to applications utilizing crop oil or liquid fertilizer as a carrier, a small volume of crop oil or liquid fertilizer should be flushed through the tank, pump, hoses, and boom prior to the next use. Dispose of crop oil or liquid fertilizer rinsate in an approved manner.
4) Remove the remaining nozzle tips, and screens and the line filter and wash in a pail of warm soapy water, thoroughly rinse and replace.
5) Hose down the inside walls of the spray tank a second time and circulate this solution using the same procedure as noted in #2 above. When rinsate cannot be disposed of according to label instructions, dispose of in compliance with the local, state, and Federal guidelines. Contact your state pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA regional office for guidance.

WEEDS CONTROLLED

Strategy is a preemergence herbicide that controls many annual grasses and broadleaf weeds. Strategy controls weeds as they germinate. Strategy will not control established weeds.
Strategy surface applied after planting will control the following weeds:

Grasses:

Barnyardgrass	(*Echinochloa crus-galli*)
Crabgrass	(*Digitaria* spp.)
(Large crabgrass)	
(Smooth crabgrass)	
Foxtail millet	(*Setaria italica*)
Goosegrass	(*Eleusine indica*)
Panicum, fall	(*Panicum dichotomiflorum*)
Panicum, Texas	(*Panicum texanum*)
(Buffalograss)	
(Colorado grass)	
Shattercane	(*Sorghum bicolor*)
Foxtail	
(Giant)	(*Setaria faberi*)
(Green)	(*Setaria viridis*)
(Yellow)	(*Setaria glauca*)
Johnsongrass	
(from seed)*	(*Sorghum halepense*)
Signalgrass, broadleaf*	(*Brachiaria platyphylla*)
Wild proso Millet*	(*Panicum miliaceum*)

Broadleaf Weeds:

Black Seeded Plantain	(*Plantago rugelii*)
Carpetweed	(*Mollugo verticillata*)
Lambsquarters, common	(*Chenopodium album*)
Pigweed	(*Amaranthus* spp.)
(Prostrate pigweed)	(*Amaranthus graecizans*)
(Redroot pigweed)	(*Amaranthus retroflexus*)
(Smooth pigweed)	(*Amaranthus hybridus*)
(Spiny pigweed)	(*Amaranthus spinosus*)
Prickly Sida	(*Sida spinosa*)
Purslane, common	(*Portulaca oleracea*)
Pusley, Florida	(*Richardia scabra*)
Spurred Anoda	(*Anoda cristata*)
Velvetleaf	(*Abutilon theophrasti*)
Venice Mallow	(*Hibiscus trionum*)
Cocklebur*	(*Xanthium strumarium*)
Common Ragweed*	(*Ambrosia artemisiifolia*)
Smartweed*	(*Polygonum lapathifolium*)

***Partially Controlled**

SOIL TEXTURE GUIDE

The amount of Strategy applied will vary with the soil texture and organic matter. A fine textured soil will require more Strategy per acre than a coarse soil. Choose the proper rate based on the following soil texture group and specific crop directions. Do not exceed directed rates.

Soil Texture Group	Soil Classification
Coarse soils: (Light)	Sand, loamy sand, sandy loam
Medium soils	Loam, silty clay loam*, silt loam, silt, sandy clay loam*
Fine soils: (Heavy)	Clay, clay loam, silty clay, silty clay loam, sandy clay, sandy clay loam*

*Silty clay loam and sandy clay loam soils are transitional soils and may be classified as either medium or fine textured soils. If silty clay loam or sandy clay loam soils are predominantly sand or silt, they are usually classified as medium textured soils. If they are predominantly clay, they are usually classified as fine textured soils.

ACTIVATION DIRECTIONS

Irrigated Agriculture: Where overhead sprinkler irrigation (solid set, center pivot or continuous flow lateral move) is used, activate Strategy with a minimum of one-half inch (1/2") of irrigation water within two (2) days after application. For flood or furrow irrigation, refer to Non-Irrigated Agriculture activation directions below. Irrigated fields may be shallowly cultivated without loss of Strategy activity.

Non-irrigated agriculture: A single, one-half inch (1/2") rainfall within five (5) days of application is necessary to activate Strategy. If a single one-half inch (1/2") rainfall is not received, a shallow cultivation may be used to help activate Strategy. Rainfall activated Strategy may be shallowly cultivated without loss of activity.

Note: Heavy rainfall and/or excessive irrigation soon after application of Strategy may cause crop injury. This potential injury can be enhanced if seeding depth is too shallow.

MIXING INSTRUCTIONS

Fill spray tank 1/2 to 3/4 full with water, add the proper amount of Strategy, then add the rest of the water. Provide sufficient agitation during mixing and application to maintain a uniform spray mixture. Do not mix with fertilizer. Apply Strategy using any properly calibrated, low pressure herbicide sprayer that will apply the spray uniformly.

SOIL PREPARATION
A firm seedbed that is trash and clod free is desirable for a surface application of Strategy. Crop residues, existing weeds and cloddy conditions may interfere with the performance of Strategy. Bedded culture is preferable to flat culture because of better drainage. Do not plant in a furrow.

SPECIFIC CROP DIRECTIONS
CUCUMBERS, MELONS, PUMPKINS[1], SUMMER SQUASH[1, 2] WINTER SQUASH[1, 2], WATERMELONS, — POSTPLANT SURFACE APPLIED PREEMERGENCE WEED CONTROL: Strategy should be used only as a POSTPLANT SURFACE APPLIED HERBICIDE PRIOR TO WEED EMERGENCE. Apply to seeded crop prior to its emergence, or apply AS A BANDED SPRAY BETWEEN ROWS AFTER CROP EMERGENCE OR TRANSPLANTING. Refer to the section titled "ACTIVATION DIRECTIONS".

[1] Certain crop varieties may have potential for injury or loss due to use of this herbicide. Consult your agricultural experiment station, or other qualified crop advisors for information pertaining to crop varieties grown in your area.
[2] Use the lower rate in the rate range.

Broadcast application on direct-seeded crop: Apply Strategy to the soil surface after seeding, but before crop emergence. DO NOT SOIL INCORPORATE Strategy PRIOR TO PLANTING AS CROP LOSS WILL OCCUR.

RATES
These directions are given as the broadcast rates of Strategy per acre. Where a rate range is shown, use the lower rate for coarser textured soils or soils with lower organic matter. Use the higher rate, where a rate range is shown, on soils containing more than five percent (5%) organic matter. Where soil texture is variable within the same field, let the finest soil texture which predominates in that field determine the use rate (see SOIL TEXTURE GUIDE). Strategy is not recommended for use on soils containing more than 10% organic matter.

Broadcast the following rates in 10 to 30 gallons of water per acre by ground equipment only.

Soil Texture*	Broadcast Rates per Acre (pints)	Amount ae/acre (lbs)	
		ethalfluralin	clomazone
Coarse	2.0 to 3.0	0.4 to 0.6	0.125 to 0.19
Medium	3.0 to 4.0	0.6 to 0.8	0.19 to 0.25
Fine	4.0 to 6.0	0.8 to 1.2	0.25 to 0.375

*Weed control may be reduced on soils with organic matter over 5%.

BAND TREATMENT: Strategy may also be used as a banded spray between rows of direct seeded or transplanted crops. Reduce rate and spray volume in proportion to area actually sprayed using the following formula:

Band width in inches/ Row width in inches	X	Broadcast RATE per acre	=	Band RATE per acre
Band width in inches/ Row width in inches	X	Broadcast VOLUME per acre	=	Band VOLUME per acre

REPLANTING INSTRUCTION
If initial seeding or transplants fail to produce the desired stand, crops listed on this label may be replanted in a field treated with STRATEGY alone. Do not retreat field with a second application of STRATEGY.

CROP RESTRICTION
Do not apply within 45 days of harvest of cucumbers or squash. Do not make more than one application per season.
Do not graze or forage crop grown in treated soil or cut for hay or silage.

ROTATIONAL RESTRICTIONS

Rotate to crops listed below for 2 to 4 pint rates.
ANYTIME: Cucumbers, Melons, Pumpkins, Squash, Watermelons

9 MONTHS: Beans (succulent and dry), Cabbage (all), Corn, Cotton, Peanuts, Peas, Peppers, Potatoes, Rice, Sorghum, Soybeans, Sugarbeets, Sweet potatoes, Tobacco, Tomatoes (transplanted), Tuberous Vegetables

12 MONTHS: Tomatoes (direct seeded), Wheat

16 MONTHS: All Crops

Rotate to crops listed below for greater than 4 to 6 pint rates.
ANYTIME: Cucumbers, Melons, Pumpkins, Squash, Watermelons

9 MONTHS: Beans (succulent and dry), Cabbage (direct seeded), Corn, Cotton, Peanuts, Potatoes, Sorghum, Soybeans, Sugarbeets, Tomatoes (transplanted)

12 MONTHS: Tomatoes (direct seeded), Wheat

16 MONTHS: All crops

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Avoid freezing. Store above 40°F (5°C). If frozen, poor weed control may result. Do not use or store near heat or open flame. Store in original container only. In case of leak or spill, use absorbent materials to contain liquids and dispose as waste.

PESTICIDE DISPOSAL: Pesticide, spray mixture, or rinse water that cannot be used according to label instructions must be disposed of according to applicable federal, state or local procedures. Pesticide wastes are acutely hazardous. 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 container. Do not reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in the container. Contact your state regulatory agency to determine allowable practices in your state. Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact The Agricultural Container Recycling Council (ACRC) at www.acrecycle.org. If not recycled, then puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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 and drain for 10 seconds after the flow begins to drip. Fill the container ¼ 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. **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 mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC – 1-800-424-9300.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

BEFORE BUYING OR USING THIS PRODUCT, read the entire Directions for Use and the following Conditions of Sale and Limitation of Warranty and Liability. By buying or using this product, the buyer or user accepts the following Conditions of Sale and Limitation of Warranty and Liability, which no employee or agent of LOVELAND PRODUCTS, INC. or the seller is authorized to vary in any way.

Follow the Directions for Use of this product carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop or other plant injury, ineffectiveness, or other unintended consequences may result from such risks as weather or crop conditions, mixture with other chemicals not specifically identified in this product's label, or use of this product contrary to the label instructions, all of which are beyond the control of LOVELAND PRODUCTS, INC. and the seller. The buyer or user of this product assumes all such inherent risks.

Subject to the foregoing inherent risks, LOVELAND PRODUCTS, INC. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when the product is used in strict accordance with such Directions for Use under normal conditions of use. EXCEPT AS WARRANTED IN THIS LABEL AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THIS PRODUCT IS SOLD "AS IS," AND LOVELAND PRODUCTS, INC. MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ELIGIBILITY OF THIS PRODUCT FOR ANY PARTICULAR TRADE USAGE.

IN THE UNLIKELY EVENT THAT BUYER OR USER BELIEVES THAT LOVELAND PRODUCTS, INC. HAS BREACHED A WARRANTY CONTAINED IN THIS LABEL AND TO THE EXTENT REQUIRED BY APPLICABLE LAW, BUYER OR USER MUST SEND WRITTEN NOTICE OF ITS CLAIM TO THE FOLLOWING ADDRESS: LOVELAND PRODUCTS, INC., ATTENTION: LAW DEPARTMENT, P.O. BOX 1286, GREELEY, CO 80632-1286.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE BUYER'S OR USER'S EXCLUSIVE REMEDY FOR ANY INJURY, LOSS, OR DAMAGE RESULTING FROM THE HANDLING OR USE OF THIS PRODUCT, INCLUDING BUT NOT LIMITED TO CLAIMS OF BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHER TORTS, SHALL BE LIMITED TO ONE OF THE FOLLOWING, AT THE ELECTION OF LOVELAND PRODUCTS, INC. OR THE SELLER: DIRECT DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE PRODUCT OR REPLACEMENT OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, LOVELAND PRODUCTS, INC. AND THE SELLER SHALL NOT BE LIABLE TO THE BUYER OR USER OF THIS PRODUCT FOR ANY CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES, OR DAMAGES IN THE NATURE OF A PENALTY.