

DODINE GROUP U12 FUNGICIDE

ELAST[®] 400 FLOWABLE

FUNGICIDE

ACTIVE INGREDIENT:

Dodine (n-dodecylguanidine acetate) 39.6%

OTHER INGREDIENTS: 60.4%

TOTAL: 100.0%

Contains 3.4 pounds of active ingredient per gallon.

EPA Reg. No. 70506-611

KEEP OUT OF REACH OF CHILDREN

ANGER / PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.

(If you do not understand the label, find someone to explain it to you in detail.)

Complete First Aid affixed to front panel. See inside booklet for complete Precautionary Statements and Directions for Use.

FIRST AID	
IF IN EYES:	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> 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 SWALLOWED:	<ul style="list-style-type: none"> Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. DO NOT induce vomiting unless told to by a poison control center or doctor. DO NOT give anything by mouth to an unconscious person.
IF INHALED:	<ul style="list-style-type: none"> 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.
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the usage of gastric lavage.	
Have the product container or label with you when calling a poison control center or doctor, or going to treatment. FOR 24-HOUR MEDICAL EMERGENCY ASSISTANCE CALL ROCKY MOUNTAIN POISON AND DRUG SAFETY: 1-866-673-6671. FOR 24-HOUR CHEMICAL EMERGENCY (Spill, leaks, fire, exposure or accident) CALL CHEMTREC: 1-800-424-9300 or +1-703-527-3887.	

For Product Use Information Call: 1-800-438-6071

Net Contents: _____ Gallons

FUNGICIDE

Manufactured by: UPL NA Inc. • 630 Freedom Business Center, Suite 402
King of Prussia, PA 19406 U.S.A. • 1-800-438-6071



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Causes skin irritation. **DO NOT** get in eyes, on skin, or on clothing. Harmful if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Avoid breathing spray mist or vapor. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are barrier laminate or viton.

All mixers, loaders, applicators and other handlers must wear:

- Coveralls over short-sleeved shirt and short pants,
- Chemical-resistant footwear plus socks,
- Chemical-resistant gloves made of any waterproof material (barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride (PVC) ≥ 14 mils, and/or viton ≥ 14 mils),
- Goggles or face shield,
- Chemical-resistant headgear for overhead exposure,
- Chemical-resistant apron for mixers and loaders

See **ENGINEERING CONTROLS** for additional requirements.

USER SAFETY REQUIREMENTS

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/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROLS

Pilots must use an enclosed cockpit that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.249(d)(6)].

USER SAFETY RECOMMENDATIONS

Users should:

- Remove clothing/PPE immediately if pesticide gets inside. Then, wash thoroughly and change into clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing them. As soon as possible, wash thoroughly and change clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic 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 disposing of equipment washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

Surface Water and Erosion Control Statement: This product may contaminate water through runoff and has the potential for runoff for several weeks after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product. A level, well maintained vegetative buffer strip between areas to which this 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 this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours. Sound erosion control practices will reduce this product's contribution to surface water contamination.

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 regulations.

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), notification to workers, and restricted-entry intervals. 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 48 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 including plants, soil, or water, is:

- Coveralls worn over short-sleeved shirt and short pants,
- Chemical-resistant gloves made of any waterproof material,
- Chemical-resistant footwear plus socks,
- Protective eyewear, and
- Chemical-resistant headgear (if overhead exposure).

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

USE RESTRICTIONS

DO NOT use this product for any crop or any pest not specifically listed on this label. For crops and pests listed on the label, follow closely the listed application timings.

DO NOT apply at any application timing not listed on the label.

DO NOT apply this product through any type of irrigation system.

DO NOT apply in greenhouses.

DO NOT graze livestock in treated fields, orchards or treated groves.

RESISTANCE MANAGEMENT

ELAST® 400 FLOWABLE Fungicide contains a Group U12 fungicide. Any fungal population may contain individuals naturally resistant to ELAST 400 FLOWABLE Fungicide and other Group U12 fungicides. A gradual or total loss of pest control may occur over time if these fungicides are used repeatedly in the same fields. Follow appropriate resistance-management strategies.

To delay fungicide resistance, take one or more of the following steps:

- Rotate the use of ELAST 400 FLOWABLE Fungicide or other Group U12 fungicides within a growing season sequence with different groups that control the same pathogens.
- Use tank mixtures with fungicides from a different group that are equally effective on the target pest when such use is permitted. Use at least the minimum application rate as labeled by the manufacturer.
- Adopt an integrated disease management program for fungicide use that includes scouting, uses historical information related to pesticide use, and crop rotation, and which considers host plant resistance, impact of environmental conditions on disease development, disease thresholds, as well as cultural, biological and other chemical control practices.
- Where possible, make use of predictive disease models to effectively time fungicide applications. Note that using predictive models alone is not sufficient to manage resistance.
- Monitor treated fungal populations for resistance development.
- Contact your local extension specialist or certified crop advisor for any additional pesticide resistance-management and/or IPM directions for specific crops and pathogens.
- For further information or to report suspected resistance contact UPL at 1-800-438-6071. You can also contact your pesticide distributor or university extension specialist to report resistance.

DILUTE AND CONCENTRATE SPRAYS

ELAST 400 FLOWABLE Fungicide may be used effectively in dilute and concentrate sprays when applied properly to deliver the labeled rate (pints per acre). Trees must be covered uniformly. **DO NOT** excessively drench fruit and foliage with dilute sprays. Avoid heavy deposits when using concentrate sprays.

Use ELAST 400 FLOWABLE Fungicide in a minimum of 15 gallons of water per acre for all ground applications, and in a minimum of 10 gallons of water per acre for all air applications.

INSTRUCTIONS FOR MIXING

Fill spray tank 1/2 full with clean water, add ELAST 400 FLOWABLE Fungicide directly to the spray tank and fill with remaining water. Keep agitator running during filling and spraying.

When tank mixing with another fungicide, fill spray tank with clean water of final desired volume. Start agitation. Slowly add ELAST 400 FLOWABLE Fungicide at the specified rate. Once mixed, slowly add additional fungicides at their specified rate. Add remaining water to desired final volume. Mix thoroughly and apply at once. Maintain sufficient agitation during mixing and spraying operations to ensure a uniform spray mixture.

COMPATIBILITY

Experience indicates that ELAST 400 FLOWABLE Fungicide can be used effectively at specified dosages with most of the commonly used fungicides, insecticides and acaricides. However, some incompatibilities were identified, especially with some copper, oil, sulfur, foliar nutrients and chlorpyrifos formulations. Therefore, we always advise testing the compatibility of the products used in combination with ELAST 400 FLOWABLE Fungicide at small scale before spraying or to ask your local distributor or consultant about potential incompatibility.

Observe all precautions, restrictions and limitations on labeling of all products used in mixtures. Follow the most restrictive label limitations and precautions. No label dosage rates may be exceeded. This product cannot be mixed with any product containing a label prohibition against such mixing.

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.

SPRAY DRIFT MANAGEMENT

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity), and method of application (e.g., ground, aerial, airblast) can influence pesticide drift. The applicator and grower must evaluate all factors and make appropriate adjustments when applying this product.

WIND SPEED

DO NOT apply at wind speeds greater than 10 mph.

DROPLET SIZE

Apply as a medium or coarser spray (ASAE standard 572), except when making orchard airblast applications. For orchard airblast applications, apply at the largest droplet size that provides sufficient coverage and control.

GROUND APPLICATION

Release Height - **DO NOT** release spray at a height greater than 4 feet above the ground or crop canopy.

AIRBLAST

Sprays must be directed into the crop canopy. Turn off outward pointing nozzles at row ends and when spraying outer rows.

AERIAL APPLICATION

Release Height - **DO NOT** release spray at a height greater than 10 feet above the ground or crop canopy.

Boom Length - The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

Swath Adjustment - When applications are made with a cross-wind, the swath will be displaced downwind. The applicator must compensate for the displacement at the downwind edge of the application area by adjusting the path of the aircraft upwind. Leave at least one swath unsprayed at the downwind edge of the treated field.

DIRECTIONS FOR CROP APPLICATION

Crop	Disease	Use Rate Fl Oz/Acre	Use Directions
APPLES Including Apple, Azarole, Crabapple, Mayhaw, Medlar, and cultivars, varieties and/or hybrids of these.	Scab (<i>Venturia inaequalis</i>)	24 fl oz/A (0.64 lb ai/A)	Apply beginning at green tip and 7 days later to clean the orchard of overwintering scab at the start of the season. Alternatively, apply preventatively at weekly intervals from green tip to petal fall. For resistance management, to tank mix with a fungicide for example CAPTAN, MANZATE® PRO-STICK™ or PENNCOZEB® at labeled use rates. When tank mixing with another fungicide, follow the INSTRUCTIONS FOR MIXING .
RESTRICTIONS: <ul style="list-style-type: none">• DO NOT apply more than 24 fl oz/A (0.64 lb ai) per acre per application.• DO NOT apply more than 48 fl oz/A (1.3 lbs ai) per acre per year.• DO NOT apply more than 2 applications per year.• DO NOT apply less than 7 days from last application.• DO NOT apply after petal fall.			

Crop	Disease	Use Rate Fl Oz/Acre	Use Directions
BANANA Not registered for use in California.	Sigatoka	13.6 - 24 fl oz/A (0.36 - 0.64 lb ai/A)	Aerial application. Apply in a mixture of 19 to 25 pints of water per acre and 4 pints of mineral oil per acre. Repeat application every 7 - 15 days. For subsequent cover sprays use ELAST 400 FLOWABLE Fungicide in rotation with other labeled fungicides that have a different mode of action. When tank mixing with another fungicide, follow the INSTRUCTIONS FOR MIXING .
RESTRICTIONS: <ul style="list-style-type: none"> • DO NOT apply more than 24 fl oz/A (0.64 lb ai) per acre per application. • DO NOT apply more than 120 fl oz/A (3.2 lbs ai) per acre per year. • DO NOT apply more than 5 applications per year. • DO NOT apply less than 7 days from last application. 			

Crop	Disease	Use Rate Fl Oz/Acre	Use Directions
CHERRIES Including Capulin, Cherry (black, Nanking, sweet, tart), and cultivars, varieties and/or hybrids of these.	Leaf Spot (<i>Blumeriella jaapii</i> anamorph, <i>Coccomyces hiemalis</i>) States West of the Mississippi for suppression of: Brown Rot Blossom Blight (<i>Monilinia laxa</i> / <i>Monilinia fruticola</i>)	24 - 48 fl oz/A (0.64 - 1.3 lbs ai/A)	Leaf spot. Apply at petal fall or when first leaves unfold. Repeat applications on 7 - 10 day intervals. If conditions favor leaf spot, continue applications through harvest. For resistance management, tank mix with a fungicide including CAPTAN, at labeled use rates. When tank mixing with another fungicide, follow the INSTRUCTIONS FOR MIXING . Brown rot blossom blight. For disease suppression, apply at the time flower buds begin to open (white bud-popcorn bloom stage). Repeat application at full bloom and again at petal fall. Applications to cherries when temperatures and humidity are excessively high may cause spotting to foliage or fruit. Post-harvest applications to trees. Apply immediately after harvest and as needed.
RESTRICTIONS: <ul style="list-style-type: none"> • DO NOT apply more than 48 fl oz/A (1.3 lbs ai) per acre per application. • DO NOT apply more than 192 fl oz/A (5.1 lbs ai) per acre per year. • DO NOT apply more than 6 applications per year. • DO NOT apply less than 7 days from last application. • DO NOT apply within 7 days of harvest (PHI = 7 days). 			

Crop	Disease	Use Rate Fl Oz/Acre	Use Directions
OLIVE Not registered for use in California.	Olive Leaf Spot Peacock Spot (<i>Fusicladium oleagineum</i>) Olive Knot (<i>Pseudomonas syringae</i> pv. <i>savastanoi</i>)	37.6 fl oz/A (1.0 lb ai/A)	Make applications during dormant period with the first application being after harvest and the second before flowering of the following season. Minimum 30-day spray interval between applications. Apply in a minimum of 100 gallons of water per acre.
RESTRICTIONS: <ul style="list-style-type: none"> • DO NOT apply more than 37.6 fl oz/A (1.0 lb ai) per acre per application. • DO NOT apply more than 75.2 fl oz/A (2.0 lbs ai) per acre per season. • DO NOT apply more than 2 applications per season. • DO NOT apply less than 30 days from last application. • DO NOT apply within 180 days of harvest (PHI = 180 days). 			

Crop	Disease	Use Rate Fl Oz/Acre	Use Directions
PEANUT Not registered for use in California.	Early Leaf Spot (<i>Cercospora arachidicola</i>) Late Leaf Spot (<i>Cercosporidium personatum</i>)	14.4 - 24 fl oz/A (0.38 - 0.64 lb ai/A)	Apply in sufficient water to achieve thorough plant coverage. Begin with first application approximately 35 days after planting and repeat applications at 10 - 14 day intervals. When tank mixing with white mold products including <i>tebuconazole</i> , use rate can be reduced to 12.8 fl oz/A (0.34 lb ai/A). To ensure tank mix compatibility, test on a small scale before spraying or ask your local consultant or retailer about potential incompatibility.

RESTRICTIONS:

- **DO NOT** apply more than 24 fl oz/A (0.64 lb ai) per acre per application.
- **DO NOT** apply more than 72 fl oz/A (1.91 lbs ai) per acre per year.
- **DO NOT** apply more than 5 applications per year.
- **DO NOT** apply less than 10 days from last application.
- **DO NOT** apply within 14 days of harvest (PHI = 14 days).
- **DO NOT** feed hay or vines to livestock.

Crop	Disease	Use Rate Fl Oz/Acre	Use Directions
PEARS Including Pear, Asian pear, Loquat, Oriental pear, Quince, Quince (Chinese), Quince (Japanese), Tejocote, and cultivars, varieties and/or hybrids of these.	Leaf Spot (<i>Fabreaa</i> spp.) Scab (<i>Venturia pirina</i>)	48 fl oz/A (1.3 lbs ai/A)	Protection Schedule. For maintenance of scab control, make first application at green tip. Continue on a 7-day retreatment interval.

RESTRICTIONS:

- **DO NOT** apply more than 48 fl oz/A (1.3 lbs ai) per acre per application.
- **DO NOT** apply more than 144 fl oz/A (3.8 lbs ai) per acre per year.
- **DO NOT** apply more than 3 applications per year.
- **DO NOT** apply less than 7 days from last application.
- **DO NOT** apply within 7 days of harvest (PHI = 7 days).

Crop	Disease	Use Rate Fl Oz/Acre	Use Directions
PECAN Not registered for use in California.	Brown Leaf Spot Downy Leaf Spot Downy Mildew Leaf Blotch Liver Spot Scab	48 fl oz/A (1.3 lbs ai/A)	Apply in sufficient water to obtain good coverage of spray at pre- and post-pollination periods. Apply every 10 - 21 days as needed and as determined by rain-fall from bud break through shell hardening. When tank mixing with <i>triphenyltin hydroxide</i> or <i>fenbuconazole</i> , use rate can be reduced to 24 fl oz/A (0.64 lb ai/A).

RESTRICTIONS:

- **DO NOT** apply more than 48 fl oz/A (1.3 lbs ai) per acre per application.
- **DO NOT** apply more than 288 fl oz/A (7.7 lbs ai) per acre per year.
- **DO NOT** apply more than 6 applications per year.
- **DO NOT** apply less than 10 days from last application.
- **DO NOT** apply after shucks have started to open.

Crop	Disease	Use Rate Fl Oz/Acre	Use Directions
STONE FRUIT (within Crop Group 12-12) Excluding Cherries (see separate use pattern) Apricot, Apricot (Japanese), Jujube (Chinese), Nectarine, Peach, Plum, Plum (American, beach, Canada, cherry, Chickasaw, Damson, Japanese, Klamath, prune), Plumcot, Prune (fresh and dried), Sloe, and cultivars, varieties and/ or hybrids of these.	Leaf Curl (<i>Taphrina deformans</i>) Scab (<i>Venturia carpophila</i> anamorph, <i>Cladosporium</i> <i>carpophilum</i>) Shot Hole (<i>Wilsonomyces carpophilus</i>) States West of the Mississippi for suppression of: Brown Rot Blossom Blight (<i>Monilinia laxa</i> / <i>Monilinia fructicola</i>)	48 fl oz/A (1.3 lbs ai/A)	Leaf curl. Apply as a dormant or delayed dormant application. Additional applications may be made just before buds swell in the spring. Scab. Apply at petal fall. Shot hole. Apply as a dormant application and repeat application at petal fall. Brown rot blossom blight. For disease suppression, apply at pink bud. Repeat application at full bloom and again at petal fall.

RESTRICTIONS:

- **DO NOT** apply more than 48 fl oz/A (1.3 lbs ai) per acre per application.
- **DO NOT** apply more than 144 fl oz/A (3.8 lbs ai) per acre per year.
- **DO NOT** apply more than 3 applications per year.
- **DO NOT** apply less than 7 days from last application.
- **DO NOT** apply after petal fall.

Crop	Disease	Use Rate Fl Oz/Acre	Use Directions
TREE NUTS (within Crop Group 14-12) Excluding Pecans (see separate use pattern) African tree nut, Almond, Beechnut, Brazil nut, Brazilian pine, Bunya, Bur oak, Butternut, Cajou nut, Candlenut, Cashew, Chestnut, Chinquapin, Coconut, Coquito nut, Dika nut, Ginkgo, Guiana chestnut, Hazelnut (filbert), Heartnut, Hickory nut, Japanese horse-chestnut, Macadamia nut, Mongongo nut, Monkey-pot, Monkey puzzle, Okari nut, Pachira nut, Peach palm nut, Pequi, Pili nut, Pine nut, Pistachio, Sapucaia nut, Tropical almond, Walnut (black and English), Yellowhorn, and cultivars, varieties and/or hybrids of these.	Anthracnose (<i>Gnomonia leptostyla</i>) Brown Rot Blossom Blight (<i>Monilinia laxa</i> / <i>Monilinia fructicola</i>) Scab (<i>Venturia carpophila</i> anamorph, <i>Cladosporium</i> <i>carpophilum</i>) Shot Hole (<i>Wilsonomyces carpophilus</i>)	48 fl oz/A (1.3 lbs ai/A)	Anthracnose. Apply when leaves first unfold. Repeat applications on 10 - 14 day interval. Brown rot blossom blight. Apply at pink bud, full bloom and petal fall. Scab. Apply at petal fall. Repeat application 2 and 5 weeks later. Shot hole. Apply at leaf emergence (bloom through petal fall). Repeat applications 2 and 5 weeks later.

RESTRICTIONS:

- **DO NOT** apply more than 48 fl oz/A (1.3 lbs ai) per acre per application.
- **DO NOT** apply more than 144 fl oz/A (3.8 lbs ai) per acre per year.
- **DO NOT** apply more than 3 applications per year.
- **DO NOT** apply less than 10 days from last application.
- **DO NOT** apply later than 5 weeks after petal fall.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: DO NOT store in or around the home. **DO NOT** use or store near heat, open flame or hot surfaces. Avoid storage near water supplies, food, feed and fertilizer to avoid contamination. Carefully open containers. After partial use, replace lid and keep container tightly sealed. Keep container tightly closed when not in use. Avoid contamination with acids and alkalies. Store in original containers only.

PESTICIDE DISPOSAL: 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 Containers: DO NOT reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying.

Nonrefillable container equal to or less than 5 gallons: 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.

IMPORTANT: READ BEFORE USE

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

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of UPL NA Inc. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

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