

Section 1. Identification

GHS product identifier : AQUACIDE 5152

Other means of identification : Biocides

Product type : Liquid.

Relevant identified uses of the substance or mixture and uses advised against

See label and/or technical data sheet, if available.

Supplier's details : Aqua Science, Inc.
1601 Woodland Avenue
Columbus, OH 43219
Phone 1-614-252-5000

Emergency telephone number (with hours of operation) : 24 Hour Emergency – Chemtrec: (800) 424-9300

Section 2. Hazards identification

OSHA/HCS status : This material is considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910.1200).

Classification of the substance or mixture : ACUTE TOXICITY (oral) - Category 4
ACUTE TOXICITY (inhalation) - Category 3
SKIN CORROSION/IRRITATION - Category 1B
SERIOUS EYE DAMAGE/ EYE IRRITATION - Category 1
RESPIRATORY SENSITIZATION - Category 1
SKIN SENSITIZATION - Category 1
SPECIFIC TARGET ORGAN TOXICITY (SINGLE EXPOSURE) (Respiratory tract irritation) - Category 3

GHS label elements

Hazard pictograms :



Signal word : Danger

Hazard statements : Toxic if inhaled.
Harmful if swallowed.
Causes severe skin burns and eye damage.
May cause allergy or asthma symptoms or breathing difficulties if inhaled.
May cause an allergic skin reaction.
May cause respiratory irritation.

Precautionary statements

Prevention : Wear protective gloves. Wear eye or face protection. Wear protective clothing. In case of inadequate ventilation wear respiratory protection. Use only outdoors or in a well-ventilated area. Avoid breathing vapor. Do not eat, drink or smoke when using this product. Wash hands thoroughly after handling. Contaminated work clothing should not be allowed out of the workplace.

Section 2. Hazards identification

Response	: IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing. Immediately call a POISON CENTER or physician. If experiencing respiratory symptoms: Call a POISON CENTER or physician. IF SWALLOWED: Immediately call a POISON CENTER or physician. Rinse mouth. Do NOT induce vomiting. IF ON SKIN (or hair): Take off immediately all contaminated clothing. Rinse skin with water or shower. Wash contaminated clothing before reuse. Immediately call a POISON CENTER or physician. IF ON SKIN: Wash with plenty of soap and water. If skin irritation or rash occurs: Get medical attention. IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a POISON CENTER or physician.
Storage	: Store locked up.
Disposal	: Dispose of contents and container in accordance with all local, regional, national and international regulations.
Hazards not otherwise classified	: None known.

Section 3. Composition/information on ingredients

Substance/mixture	: Mixture
Other means of identification	: Biocides

Product code : AQUACIDE 5152

Ingredient name	%	CAS number
Glutaraldehyde	15	111-30-8

Any concentration shown as a range is to protect confidentiality or is due to batch variation.

While some substances are claimed as trade secret in accordance with the provision of OSHA 29 CFR 1910.1200(i), all known hazards are clearly communicated within this document.

Per Appendix D 1919.1200 OSHA, ranges can be used when there is batch-to-batch variability in a mixture or a trade secret claim.

There are no additional ingredients present which, within the current knowledge of the supplier and in the concentrations applicable, are classified as hazardous to health or the environment and hence require reporting in this section.

Section 4. First aid measures

Description of necessary first aid measures

Eye contact	: - 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 further treatment advice.
Inhalation	: - Move person to fresh air. - If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth if possible. - Call a poison control center or doctor for further treatment advice.
Skin contact	: - 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.
Ingestion	: - Call poison control center or doctor immediately for treatment advice. - Have person sip a glass of water, if able to swallow. - Do not induce vomiting unless told to do so by the poison control center or doctor. - Do not give anything by mouth to an unconscious person.
Notes to physician	: Probable mucosal damage may contraindicate the use of gastric lavage.

Section 4. First aid measures

See toxicological information (Section 11)

Section 5. Fire-fighting measures

Extinguishing media

- | | |
|---|---|
| Suitable extinguishing media | : Use an extinguishing agent suitable for the surrounding fire. |
| Unsuitable extinguishing media | : None known. |
| Specific hazards arising from the chemical | : In a fire or if heated, a pressure increase will occur and the container may burst. |
| Hazardous thermal decomposition products | : Decomposition products may include the following materials:
carbon dioxide
carbon monoxide |
| Special protective actions for fire-fighters | : Promptly isolate the scene by removing all persons from the vicinity of the incident if there is a fire. No action shall be taken involving any personal risk or without suitable training. |
| Special protective equipment for fire-fighters | : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode. |

Section 6. Accidental release measures

Personal precautions, protective equipment and emergency procedures

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|------------------------------------|---|
| For non-emergency personnel | : No action shall be taken involving any personal risk or without suitable training. Evacuate surrounding areas. Keep unnecessary and unprotected personnel from entering. Do not touch or walk through spilled material. Do not breathe vapor or mist. Provide adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Put on appropriate personal protective equipment. |
| For emergency responders | : If specialised clothing is required to deal with the spillage, take note of any information in Section 8 on suitable and unsuitable materials. See also the information in "For non-emergency personnel". |
| Environmental precautions | : Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Inform the relevant authorities if the product has caused environmental pollution (sewers, waterways, soil or air). |

Methods and materials for containment and cleaning up

- | | |
|--------------------|---|
| Small spill | : Stop leak if without risk. Move containers from spill area. Dilute with water and mop up if water-soluble. Alternatively, or if water-insoluble, absorb with an inert dry material and place in an appropriate waste disposal container. Dispose of via a licensed waste disposal contractor. |
| Large spill | : Stop leak if without risk. Move containers from spill area. Approach release from upwind. Prevent entry into sewers, water courses, basements or confined areas. Wash spillages into an effluent treatment plant or proceed as follows. Contain and collect spillage with non-combustible, absorbent material e.g. sand, earth, vermiculite or diatomaceous earth and place in container for disposal according to local regulations (see Section 13). Dispose of via a licensed waste disposal contractor. Contaminated absorbent material may pose the same hazard as the spilled product. Note: see Section 1 for emergency contact information and Section 13 for waste disposal. |

Section 7. Handling and Storage

Precautions for safe handling

- Protective measures** : Put on appropriate personal protective equipment (see Section 8). Persons with a history of skin sensitization problems or asthma, allergies or chronic or recurrent respiratory disease should not be employed in any process in which this product is used. Do not get in eyes or on skin or clothing. Do not breathe vapor or mist. Do not ingest. Use only with adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Keep in the original container or an approved alternative made from a compatible material, kept tightly closed when not in use. Empty containers retain product residue and can be hazardous. Do not reuse container.
- Advice on general occupational hygiene** : Eating, drinking and smoking should be prohibited in areas where this material is handled, stored and processed. Workers should wash hands and face before eating, drinking and smoking. Remove contaminated clothing and protective equipment before entering eating areas. See also Section 8 for additional information on hygiene measures.
- Conditions for safe storage, including any incompatibilities** : Store in accordance with local regulations. Store in original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials (see Section 10) and food and drink. Store locked up. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabeled containers. Use appropriate containment to avoid environmental contamination.
- Satisfactory Materials of Construction** : ABS (Plastic)
Admiralty brass
Buna-N Rubber (Nitrile)
Butyl rubber
C-Flex® Tubing Clear
C-Flex® Tubing White
EPDM rubber
EPT Rubber
Fiberglass-Reinforced Plastic (FRP)
Hastelloy C-276
Kynar
Monel® Alloy 400
Nickel Alloy 200
Norpren Tubing
6/6 Nylon
Perfluoroalkoxy (PFA)
Pharmed Tubing
Polycarbonate
Polyethylene-Crosslinked (XLPE)
Polyethylene - high density
Polyethylene terephthalate (PET)
Polyisoprene Latex Rubber (PIB)
Polypropylene
Polystyrene
Polyurethane (PUR)
PVC Chlorinated (CPVC)
PVC - flexible
PVC - rigid
REHAU® Tubing (LDPE)
Steel - 304 L Stainless
316L Stainless Steel
Teflon
Tenite Plastic
Tygon® R3400
Tygon® R3603
NOTE: With respect to all other materials not listed above, user should be aware that

Section 7. Handling and storage

use of such materials with this product may be hazardous and result in damages to such materials and other property and personal injuries. No data concerning such materials not listed above should be implied by the user.

Section 8. Exposure controls/personal protection

Control parameters

Occupational exposure limits

Ingredient name	Exposure limits
Glutaraldehyde	ACGIH (United States). CEIL: 0.2 mg/m ³ CEIL: 0.05 ppm ACGIH TLV (United States, 4/2014). Skin sensitizer. C: 0.05 ppm OSHA PEL 1989 (United States, 3/1989). CEIL: 0.2 ppm CEIL: 0.8 mg/m ³

Appropriate engineering controls : Use only with adequate ventilation. Use process enclosures, local exhaust ventilation or other engineering controls to keep worker exposure to airborne contaminants below any recommended or statutory limits.

Environmental exposure controls : Emissions from ventilation or work process equipment should be checked to ensure they comply with the requirements of environmental protection legislation. In some cases, fume scrubbers, filters or engineering modifications to the process equipment will be necessary to reduce emissions to acceptable levels.

Individual protection measures

Hygiene measures : Wash hands, forearms and face thoroughly after handling chemical products, before eating, smoking and using the lavatory and at the end of the working period. Appropriate techniques should be used to remove potentially contaminated clothing. Contaminated work clothing should not be allowed out of the workplace. Wash contaminated clothing before reusing. Ensure that eyewash stations and safety showers are close to the workstation location.

Eye/face protection : Safety eyewear complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists, gases or dusts. If contact is possible, the following protection should be worn, unless the assessment indicates a higher degree of protection: chemical splash goggles and/or face shield. If inhalation hazards exist, a full-face respirator may be required instead.

Skin protection

Hand protection : Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary. Considering the parameters specified by the glove manufacturer, check during use that the gloves are still retaining their protective properties. It should be noted that the time to breakthrough for any glove material may be different for different glove manufacturers. In the case of mixtures, consisting of several substances, the protection time of the gloves cannot be accurately estimated.

Body protection : Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.

Other skin protection : Appropriate footwear and any additional skin protection measures should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.

Section 8. Exposure controls/personal protection

Respiratory protection : Use a properly fitted, air-purifying or air-fed respirator complying with an approved standard if a risk assessment indicates this is necessary. Respirator selection must be based on known or anticipated exposure levels, the hazards of the product and the safe working limits of the selected respirator.

Section 9. Physical and chemical properties

Appearance

Physical state : Liquid. [Colorless to light yellow.]

Color : Transparent colorless

Odor : Fruity.

Odor threshold : Not available.

pH : 3.1 to 4.5

Melting point : -7°C (19.4°F)

Boiling point : 100.7°C (213.3°F)

Flash point : None

Evaporation rate : 0.8 (butyl acetate = 1)

Flammability (solid, gas) : Not available.

Lower and upper explosive (flammable) limits : Not available.

Vapor pressure : 0.04 kPa (0.3 mm Hg) [room temperature]

Vapor density : 0.7 [Air = 1]

Relative density : 1.042

Dispersibility properties : Not available.

Solubility : Easily soluble in the following materials: cold water and hot water.

Partition coefficient: n-octanol/water : -0.333

Auto-ignition temperature : Not available.

Decomposition temperature : Not available.

Viscosity : Not available.

VOC : Not available.

Section 10. Stability and reactivity

Reactivity : No specific test data related to reactivity available for this product or its ingredients.

Chemical stability : The product is stable.

Possibility of hazardous reactions : Under normal conditions of storage and use, hazardous reactions will not occur.

Conditions to avoid : No specific data.

Incompatible materials : No specific data.

Hazardous decomposition products : Under normal conditions of storage and use, hazardous decomposition products should not be produced.

Section 11. Toxicological information

Information on toxicological effects

Acute toxicity

Product/ingredient name	Result	Species	Dose	Exposure
Glutaraldehyde AQUACIDE 5152	LD50 Oral	Mouse	100 mg/kg	-
	LD50 Oral	Rat	134 mg/kg	-
	LD50 Oral	Rat	134 mg/kg	-
	LD50 Dermal	Rabbit	>16000 mg/kg	-
	LD50 Oral	Rat	>900 mg/kg	-

Conclusion/Summary : Vapor from heated material or mist may cause serious adverse effects, even death. Vapor may cause severe irritation of the upper respiratory tract (nose and throat). Case reports and medical surveys link asthma and respiratory irritation to glutaraldehyde exposure, primarily in medical personnel. Asthma-like symptoms may include coughing, difficult breathing and a feeling of tightness in the chest. Occasionally, breathing difficulties may be life threatening. Asthma-like symptoms may occur in people prone to respiratory disorders or other allergies.
As product: The LC50 has not been determined.

Irritation/Corrosion

Not available.

Sensitization

Product/ingredient name	Route of exposure	Species	Result
Glutaraldehyde	skin	Rabbit	Sensitizing
	Respiratory	Rat	Sensitizing

Mutagenicity

Not available.

Conclusion/Summary : For glutaraldehyde: In vitro genetic toxicity studies were negative in some cases and positive in other cases. Animal genetic toxicity studies were predominantly negative.

Carcinogenicity

This product has not been tested unless noted in summary results.

Conclusion/Summary : In a NTP chronic 2-year inhalation study on glutaraldehyde, no carcinogenicity was seen in rats or in mice. An increase in large granular lymphocytes in Fischer rats dosed with glutaraldehyde for two years was random or a secondary carcinogenic effect due to a modifying influence on the occurrence of this common neoplasm in this rat strain.

Reproductive toxicity

Not available.

Conclusion/Summary : For glutaraldehyde: In animal studies, did not interfere with reproduction.

Teratogenicity

Not available.

Conclusion/Summary : For glutaraldehyde: Has been toxic to the fetus in laboratory animals at doses toxic to the mother. Did not cause birth defects in laboratory animals.

Specific target organ toxicity (single exposure)

Name	Category	Route of exposure	Target organs
Glutaraldehyde	Category 3	Not applicable.	Respiratory tract irritation

Specific target organ toxicity (repeated exposure)

Not available.

Section 11. Toxicological information

Aspiration hazard

Not available.

Information on the likely routes of exposure : Routes of entry anticipated: Dermal, Inhalation.
Routes of entry not anticipated: Oral.

Potential acute health effects

Eye contact : Causes serious eye damage.
Inhalation : Toxic if inhaled. May cause respiratory irritation. May cause allergy or asthma symptoms or breathing difficulties if inhaled.
Skin contact : Causes severe burns. May cause an allergic skin reaction.
Ingestion : Harmful if swallowed.

Symptoms related to the physical, chemical and toxicological characteristics

Eye contact : Adverse symptoms may include the following:
 pain
 watering
 redness
Inhalation : Adverse symptoms may include the following:
 respiratory tract irritation
 coughing
 wheezing and breathing difficulties
 asthma
Skin contact : Adverse symptoms may include the following:
 pain or irritation
 redness
 blistering may occur
Ingestion : Adverse symptoms may include the following:
 stomach pains

Delayed and immediate effects and also chronic effects from short and long term exposure

Short term exposure

Potential immediate effects : Not available.
Potential delayed effects : Not available.

Long term exposure

Potential immediate effects : Not available.
Potential delayed effects : Not available.

Potential chronic health effects

Not available.

Conclusion/Summary : Repeated skin contact may result in absorption of amounts which could cause death. May cause nausea and vomiting.
General : Once sensitized, a severe allergic reaction may occur when subsequently exposed to very low levels.
Carcinogenicity : No known significant effects or critical hazards.
Mutagenicity : No known significant effects or critical hazards.
Teratogenicity : No known significant effects or critical hazards.
Developmental effects : No known significant effects or critical hazards.
Fertility effects : No known significant effects or critical hazards.

Section 11. Toxicological information

Numerical measures of toxicity

Acute toxicity estimates

Not available.

Section 12. Ecological information

Toxicity





Product/ingredient name	Result	Species	Exposure
AQUACIDE 5152	Acute EC50 5 mg/l	Daphnia	48 hours
	Acute LC50 0.11 mg/l	Algae	96 hours
	Acute LC50 0.78 mg/l	Fish	96 hours
	Acute LC50 9.4 to 11 mg/l	Fish	96 hours
	Acute LC50 41 mg/l	Fish	96 hours
	Acute LC50 7.1 mg/l	Fish	96 hours

Section 13. Disposal considerations

Disposal methods

: The generation of waste should be avoided or minimized wherever possible. Disposal of this product, solutions and any by-products should at all times comply with the requirements of environmental protection and waste disposal legislation and any regional local authority requirements. Dispose of surplus and non-recyclable products via a licensed waste disposal contractor. Waste should not be disposed of untreated to the sewer unless fully compliant with the requirements of all authorities with jurisdiction. Waste packaging should be recycled. Incineration or landfill should only be considered when recycling is not feasible. This material and its container must be disposed of in a safe way. Care should be taken when handling emptied containers that have not been cleaned or rinsed out. Empty containers or liners may retain some product residues. Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers.

Section 14. Transport information

	DOT Classification	IMDG	IATA
UN number	3265	3265	3265
UN proper shipping name	CORROSIVE LIQUID, ACIDIC, ORGANIC, N.O.S.	CORROSIVE LIQUID, ACIDIC, ORGANIC, N.O.S. (glutaral, solution). Marine pollutant (glutaral)	CORROSIVE LIQUID, ACIDIC, ORGANIC, N.O.S. (glutaral, solution)
Transport hazard class(es)	8 	8  	8 
Packing group	III	III	III
Environmental hazards	No.	Yes.	No.

Section 14. Transport information

Additional information	Remarks ERG Guide 153	The marine pollutant mark is not required when transported in sizes of ≤5 L or ≤5 kg. Emergency schedules (EmS) F-A, S-B Remarks ERG Guide 153, HazMat Code 4931466	The environmentally hazardous substance mark may appear if required by other transportation regulations. Remarks ERG Guide 153, ERG Code 8L
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Special precautions for user : **Transport within user's premises:** always transport in closed containers that are upright and secure. Ensure that persons transporting the product know what to do in the event of an accident or spillage.

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code : Not available.

Section 15. Regulatory information

Potential impurities present in trace quantities are included in the regulatory listings of this section.

U.S. Federal regulations : **United States inventory (TSCA 8b):** This product is subject to regulation under the US Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and is therefore exempt from US Toxic Substances Control Act (TSCA) Inventory listing requirements.

SARA 302/304

Composition/information on ingredients

No products were found.

SARA 304 RQ : Not applicable.

SARA 311/312

Classification : Immediate (acute) health hazard

Composition/information on ingredients

Name	%	Fire hazard	Sudden release of pressure	Reactive	Immediate (acute) health hazard	Delayed (chronic) health hazard
Glutaraldehyde	15	No.	No.	No.	Yes.	No.

CERCLA : CERCLA: Hazardous substances.: No products were found.

FDA : This product is allowed under the following FDA (21 CFR) sections :173.320 (Limitation: as a single additive in beet-sugar mills at a level not higher than 250 ppm); 175.105; 176.170 & 176.180 (Limitation: as an antimicrobial agent in pigment and filler slurries not to exceed 300 ppm by weight of the slurry solids); and 176.300.

EPA Reg. No. : 1448-423

FIFRA : This chemical is a pesticide product registered by the United States Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets (SDS), and for workplace labels of non-pesticide chemicals. The hazard information required on the pesticide label is reproduced below. The pesticide label also includes other important information, including directions for use.

Section 15. Regulatory information

Corrosive. Harmful if swallowed. Causes irreversible eye damage. Causes skin irritation. Harmful if absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Harmful if inhaled. Causes asthmatic signs and symptoms in hyper-reactive individuals. Do not swallow. Do not get in eyes, on skin, or on clothing. Avoid breathing vapor. Wear goggles, protective clothing, and butyl or nitrile gloves. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish and aquatic organisms. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit, and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

Section 16. Other information

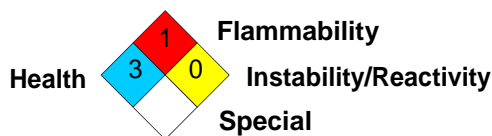
Hazardous Material Information System (U.S.A.)

Health	3
Flammability	1
Physical hazards	0

Caution: HMIS® ratings are based on a 0-4 rating scale, with 0 representing minimal hazards or risks, and 4 representing significant hazards or risks. Although HMIS® ratings are not required on SDSs under 29 CFR 1910.1200, the preparer may choose to provide them. HMIS® ratings are to be used with a fully implemented HMIS® program. HMIS® is a registered mark of the National Paint & Coatings Association (NPCA). HMIS® materials may be purchased exclusively from J. J. Keller (800) 327-6868.

The customer is responsible for determining the PPE code for this material.

National Fire Protection Association (U.S.A.)



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Copyright ©2001, National Fire Protection Association, Quincy, MA 02269. This warning system is intended to be interpreted and applied only by properly trained individuals to identify fire, health and reactivity hazards of chemicals. The user is referred to certain limited number of chemicals with recommended classifications in NFPA 49 and NFPA 325, which would be used as a guideline only. Whether the chemicals are classified by NFPA or not, anyone using the 704 systems to classify chemicals does so at their own risk.

History

Date of printing : 5/22/2015.
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 Date of previous issue : No previous validation.
 Version : 0.01

Section 16. Other information

Prepared by	: Buckman Regulatory Affairs
Key to abbreviations	: ATE = Acute Toxicity Estimate BCF = Bioconcentration Factor GHS = Globally Harmonized System of Classification and Labelling of Chemicals IATA = International Air Transport Association IBC = Intermediate Bulk Container IMDG = International Maritime Dangerous Goods LogPow = logarithm of the octanol/water partition coefficient MARPOL 73/78 = International Convention for the Prevention of Pollution From Ships, 1973 as modified by the Protocol of 1978. ("Marpol" = marine pollution) UN = United Nations

Indicates information that has changed from previously issued version.

Notice to reader

To the best of our knowledge, the information contained herein is accurate. However, neither the above-named supplier, nor any of its subsidiaries, assumes any liability whatsoever for the accuracy or completeness of the information contained herein.

Final determination of suitability of any material is the sole responsibility of the user. All materials may present unknown hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist.

Buckman Laboratories, Inc. warrants that this product conforms to its chemical description and is reasonably fit for the purpose referred to in the directions for use when used in accordance with the directions under normal conditions. Buyer assumes the risk of any use outside of such directions.

Seller makes no other warranty or representation of any kind, express or implied, concerning the product, including NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS OF THE GOODS FOR ANY OTHER PARTICULAR PURPOSE. No such warranties shall be implied by law and no agent of seller is authorized to alter this warranty in any way except in writing with a specific reference to this warranty.

The exclusive remedy against seller shall be in a claim for damages not to exceed the purchase price of the product, without regard to whether such a claim is based upon breach of warranty or tort.

Any controversy or claim arising out or relating to this contract, or breach thereof, shall be settle by arbitration in accordance with the commercial arbitration rules of the American Arbitration Association, and judgment upon the rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.