



# Diesel Fuels, ULSD & Bio 5 or less

## Safety Data Sheet

Prepared according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

Revision date: 05/12/2015

Version: 1.0

### SECTION 1: Identification of the substance/mixture and of the company/undertaking

#### 1.1. Product identifier

Product name : Diesel Fuels, ULSD & Bio 5 or less  
Product form : Mixture  
Formula : Branched chain hydrocarbons, variable. Petroleum distillate fraction consisting of a complex mixture of paraffinic, olefinic, naphthenic hydrocarbons plus fused polycyclic hydrocarbons (C10 and higher) as benzene solubles.  
Other means of identification : Diesel Fuel, Bio Diesel Blends, Ultra Low Sulfur Diesel.  
APEX, Specified: B2 ULSD, B-5 Biodiesel ULSD, Dyed B-5 ULSD, CA ULTRA LOW SULFUR DIESEL, Dyed ULSD, ULSD W/Pour Dep, Dyed ULSD W/Pour Dep, Dyed Winterized ULSD, Winterized ULSD, Heating Oil, ULSD Heating Oil, ULSD Heating Oil, ULSD Heating Oil Dyed, Winterized ULSD Heat Oil.  
Other Common Synonyms: 2 Oil, Fuel Oil, Diesel Fuel, Diesel Oil, Diesel Fuel No. 2, Heating Oil (Dyed), Low Sulfur Diesel, Ultra-low sulfur diesel, Marine Diesel Oil (Dyed), B2, B5

#### 1.2. Relevant identified uses of the substance or mixture and uses advised against

Use of the substance/mixture : Distillation Product. Motor Fuels. Heating Fuels.

#### 1.3. Details of the supplier of the safety data sheet

Apex Oil Company, Inc.  
Clark Oil Trading Company  
Enjet, LLC  
8235 Forsyth Boulevard, Suite 400  
St. Louis, Missouri 63105  
General Assistance 1-314-889-9600

#### 1.4. Emergency telephone number

Emergency number : Chemtrec: 1-800-424-9300 (Apex reference number: 225708)

### SECTION 2: Hazards identification

#### 2.1. Classification of the substance or mixture

##### GHS-US classification

Flam. Liq. 3	H226
Acute Tox. 4 (Inhalation:dust,mist)	H332
Muta. 1B	H340
Carc. 1A	H350
STOT RE 2	H373
Asp. Tox. 1	H304

#### 2.2. Label elements

##### GHS-US labelling

Hazard pictograms (GHS-US) :



Signal word (GHS-US) :

**Danger**

Hazard statements (GHS-US) :

H226 - Flammable liquid and vapor  
H304 - May be fatal if swallowed and enters airways  
H332 - Harmful if inhaled  
H340 - May cause genetic defects  
H350 - May cause cancer  
H373 - May cause damage to organs (liver, spleen, bone marrow) through prolonged or repeated exposure

Precautionary statements (GHS-US) :

P201 - Obtain special instructions before use  
P202 - Do not handle until all safety precautions have been read and understood  
P210 - Keep away from heat, open flames, sparks. - No smoking  
P233 - Keep container tightly closed  
P240 - Ground/bond container and receiving equipment  
P241 - Use explosion-proof electrical, lighting, ventilating equipment  
P242 - Use only non-sparking tools  
P243 - Take precautionary measures against static discharge  
P260 - Do not breathe mist, vapors  
P271 - Use only outdoors or in a well-ventilated area  
P280 - Wear eye protection, protective clothing, protective gloves  
P301+P310 - IF SWALLOWED: Immediately call a doctor, a POISON CENTER

# Diesel Fuels, ULSD & Bio 5 or less

## Safety Data Sheet

Prepared according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

P303+P361+P353 - IF ON SKIN (or hair): Take off immediately all contaminated clothing. Rinse skin with water/shower  
P304+P340 - IF INHALED: Remove person to fresh air and keep comfortable for breathing  
P308+P313 - If exposed or concerned: Get medical advice/attention  
P314 - Get medical advice/attention if you feel unwell  
P331 - Do NOT induce vomiting  
P370+P378 - In case of fire: Use carbon dioxide (CO<sub>2</sub>), dry extinguishing powder, foam to extinguish  
P403+P235 - Store in a well-ventilated place. Keep cool  
P405 - Store locked up  
P501 - Dispose of contents/container to a licensed hazardous-waste disposal contractor or collection site except for empty clean containers which can be disposed of as non-hazardous waste

### 2.3. Other hazards

No additional information available

### 2.4. Unknown acute toxicity (GHS US)

No data available

## SECTION 3: Composition/information on ingredients

### 3.1. Substance

Not applicable

### 3.2. Mixture

Name	Product identifier	%
Fuel oil No. 2	(CAS No) 68476-30-2	60 - 100
Distillates, petroleum, full-range straight-run middle	(CAS No) 68814-87-9	0 - 50
Distillates, petroleum, hydrotreated middle	(CAS No) 64742-46-7	0 - 50
Distillates, petroleum, light catalytic cracked	(CAS No) 64741-59-9	0 - 40
Benzene	(CAS No) 71-43-2	0.01 - 1

## SECTION 4: First aid measures

### 4.1. Description of first aid measures

First-aid measures general : If exposed or concerned, get medical attention/advice. Show this safety data sheet to the doctor in attendance. Wash contaminated clothing before re-use. Never give anything to an unconscious person.

First-aid measures after inhalation : IF INHALED: Remove to fresh air and keep at rest in a position comfortable for breathing. Get medical attention. If breathing is difficult, supply oxygen. If breathing has stopped, give artificial respiration.

First-aid measures after skin contact : IF ON SKIN (or clothing): Remove affected clothing and wash all exposed skin with water for at least 15 minutes. If irritation develops or persists, get medical attention.

First-aid measures after eye contact : IF IN EYES: Immediately flush with plenty of water for at least 15 minutes. Remove contact lenses if present and easy to do so. If pain, blinking, or irritation develops or persists, get medical attention. Continue rinsing.

First-aid measures after ingestion : IF SWALLOWED: rinse mouth thoroughly. Do not induce vomiting without advice from poison control center or medical professional. Get medical attention immediately.

### 4.2. Most important symptoms and effects, both acute and delayed

Symptoms/injuries : May be fatal if swallowed and enters airways. Harmful if inhaled. May cause genetic defects. May cause cancer. May cause damage to organs (liver, Spleen, bone marrow) through prolonged or repeated exposure.

Symptoms/injuries after inhalation : Harmful if inhaled.

Symptoms/injuries after skin contact : May cause skin irritation.

Symptoms/injuries after eye contact : Direct contact with the eyes is likely to be irritating.

Symptoms/injuries after ingestion : May be fatal if swallowed and enters airways.

Chronic symptoms : May cause genetic defects. May cause cancer. May cause damage to organs through prolonged or repeated exposure.

### 4.3. Indication of any immediate medical attention and special treatment needed

No additional information available.

## SECTION 5: Firefighting measures

### 5.1. Extinguishing media

Suitable extinguishing media : Foam. Carbon dioxide. Dry powder. Water spray. Water fog.

Unsuitable extinguishing media : Do not use direct water stream. May spread fire.

### 5.2. Special hazards arising from the substance or mixture

Fire hazard : Flammable liquid and vapor.

Explosion hazard : Heating may cause an explosion.

# Diesel Fuels, ULSD & Bio 5 or less

## Safety Data Sheet

Prepared according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

- Reactivity : No dangerous reactions known under normal conditions of use.
- 5.3. Advice for firefighters**
- Precautionary measures fire : Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. No smoking.
- Firefighting instructions : Use water spray or fog for cooling exposed containers. Exercise caution when fighting any chemical fire. Do not dispose of fire-fighting water in the environment.
- Protection during firefighting : Do not enter fire area without proper protective equipment, including respiratory protection. Self-contained breathing apparatus.
- Other information : Material will float and can be re-ignited on surface of water. Vapors may travel long distances along ground before igniting/flashing back to vapor source. Vapors may concentrate in confined areas. Vapors may form flammable and explosive mixture with air. Vapors may accumulate in low areas. Flowing product can be ignited by self-generated static electricity.

### SECTION 6: Accidental release measures

#### 6.1. Personal precautions, protective equipment and emergency procedures

- General measures : Evacuate area. Ventilate area. Keep upwind. Spill should be handled by trained clean-up crews properly equipped with respiratory equipment and full chemical protective gear (see Section 8).

##### 6.1.1. For non-emergency personnel

- Protective equipment : Wear Protective equipment as described in Section 8.
- Emergency procedures : Evacuate unnecessary personnel.

##### 6.1.2. For emergency responders

- Protective equipment : Wear suitable protective clothing, gloves and eye or face protection. Approved supplied-air respirator, in case of emergency.

#### 6.2. Environmental precautions

Prevent entry to sewers and public waters. Notify authorities if liquid enters sewers or public waters. Avoid release to the environment.

#### 6.3. Methods and material for containment and cleaning up

- For containment : Stop leak if safe to do so. Contain any spills with dikes or absorbents to prevent migration and entry into sewers or streams.
- Methods for cleaning up : Eliminate ignition sources. Wear suitable protective clothing. Soak up spills with inert solids, such as clay or diatomaceous earth as soon as possible. Sweep or shovel spills into appropriate container for disposal. Recover as much product as possible with vacuum truck or pump to storage/salvage vessels. This material and its container must be disposed of in a safe way, and as per local legislation.

#### 6.4. Reference to other sections

See Sections 8 and 13.

### SECTION 7: Handling and storage

#### 7.1. Precautions for safe handling

- Precautions for safe handling : Do not handle until all safety precautions have been read and understood. Use explosion-proof equipment. Take precautionary measures against static discharge. Bond and ground containers during product transfer to reduce the possibility of static-initiated fire or explosion. Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. No smoking. Use only in well-ventilated areas. Avoid breathing vapors, mist. Do not get in eyes, on skin, or on clothing. Use appropriate personal protection equipment (PPE). Immediately rinse contaminated clothing thoroughly with water. Wash hands and other exposed areas with mild soap and water before eating, drinking or smoking and when leaving work.

#### 7.2. Conditions for safe storage, including any incompatibilities

- Technical measures : Use explosion-proof equipment. Take precautionary measures against static discharge. Containers, even those that have been emptied, can contain explosive vapors.
- Storage conditions : Store in a dry, cool and well-ventilated place. Keep the container tightly closed. Avoid temperature extremes. Store in original container. Keep away from ignition sources. Ground and bond all transfer and storage equipment.

### SECTION 8: Exposure controls/personal protection

#### 8.1. Control parameters

Fuel oil No. 2 (68476-30-2)	
ACGIH TWA (mg/m <sup>3</sup> )	100 (inhalable fraction and vapor, as total hydrocarbons, listed under Diesel fuel)
Remark (OSHA)	OELs not established

# Diesel Fuels, ULSD & Bio 5 or less

## Safety Data Sheet

Prepared according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

<b>Distillates, petroleum, full-range straight-run middle (68814-87-9)</b>	
Remark (ACGIH)	OELs not established
Remark (OSHA)	OELs not established
<b>Distillates, petroleum, hydrotreated middle (64742-46-7)</b>	
Remark (ACGIH)	OELs not established
Remark (OSHA)	OELs not established
<b>Distillates, petroleum, light catalytic cracked (64741-59-9)</b>	
Remark (ACGIH)	OELs not established
Remark (OSHA)	OELs not established
<b>Benzene (71-43-2)</b>	
ACGIH TWA (ppm)	0.5
ACGIH STEL (ppm)	2.5
OSHA PEL (TWA) (ppm)	1
OSHA PEL (STEL) (ppm)	5 (see 29 CFR 1910.1028)
OSHA PEL (Ceiling) (ppm)	25
<b>Ethylbenzene (100-41-4)</b>	
ACGIH TWA (ppm)	20
Remark (ACGIH)	upper respiratory tract irritation; kidney damage (nephropathy); cochlear impairment
OSHA PEL (TWA) (mg/m <sup>3</sup> )	435
OSHA PEL (TWA) (ppm)	100
OSHA PEL (STEL) (mg/m <sup>3</sup> )	545
OSHA PEL (STEL) (ppm)	125

### 8.2. Exposure controls

Appropriate engineering controls

: Provide adequate general and local exhaust ventilation. Use process enclosures, local exhaust ventilation, or other engineering controls to control airborne levels below recommended exposure limits. Use explosion-proof equipment with flammable materials. Ensure adequate ventilation, especially in confined areas.

Personal protective equipment

: Gloves. Protective goggles. Wear chemically impervious apron over labcoat and full coverage clothing. Insufficient ventilation: wear respiratory protection.



Hand protection

: Use gloves chemically resistant to this material when prolonged or repeated contact could occur. Gloves should be classified under Standard EN 374 or ASTM F1296. Suggested glove materials are: Neoprene, Nitrile/butadiene rubber, Polyethylene, Ethyl vinyl alcohol laminate, PVC or vinyl. . Suitable gloves for this specific application can be recommended by the glove supplier.

Eye protection

: Wear eye protection, including chemical splash goggles and a face shield when possibility exists for eye contact due to spraying liquid or airborne particles.

Skin and body protection

: Wear long sleeves, and chemically impervious PPE/coveralls to minimize bodily exposure.

Respiratory protection

: Wear a NIOSH-approved (or equivalent) full-facepiece airline respirator in the positive pressure mode with emergency escape provisions. In case of inadequate ventilation or risk of inhalation of vapors, use suitable respiratory equipment with gas filter (type A2). Use a positive-pressure air-supplied respirator if there is any potential for an uncontrolled release, exposure levels are not known, or any other circumstances where air-purifying respirators may not provide adequate protection.

## SECTION 9: Physical and chemical properties

### 9.1. Information on basic physical and chemical properties

Physical state	: Liquid
Appearance	: Viscous liquid.
Color	: Clear. light brown.
Odor	: Petroleum-like odor. Oily Odor.
Odor Threshold	: 0.02 ppm ("rotten egg")
pH	: No data available
Relative evaporation rate (butylacetate=1)	: > 10

# Diesel Fuels, ULSD & Bio 5 or less

## Safety Data Sheet

Prepared according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

Melting point	: No data available
Freezing point	: No data available
Boiling point	: 177 - 371 °C (350 - 700 °F)
Flash point	: 38 - 82 °C (38 - 82 °F)
Auto-ignition temperature	: > 260 °C (500 °F)
Decomposition temperature	: No data available
Flammability (solid, gas)	: No data available
Vapor pressure	: 1 (6.5 - 15) mm Hg @ 20 °C (68 °F)
Relative vapor density at 20 °C	: > 5 (Air = 1)
Relative density	: 0.9 (typical)
Solubility	: Insoluble.
Log Pow	: No data available
Log Kow	: No data available
Viscosity, kinematic	: No data available
Viscosity, dynamic	: No data available
Explosive properties	: No data available
Oxidising properties	: No data available
Explosive limits	: 0.6 - 7.5 vol %

### 9.2. Other information

VOC content : > 50 %

## SECTION 10: Stability and reactivity

### 10.1. Reactivity

No dangerous reactions known under normal conditions of use.

### 10.2. Chemical stability

Stable under recommended handling and storage conditions (see section 7).

### 10.3. Possibility of hazardous reactions

None known.

### 10.4. Conditions to avoid

Avoid contact with : Ignition sources. Incompatible materials.

### 10.5. Incompatible materials

Oxidizing agent.

### 10.6. Hazardous decomposition products

Thermal decomposition generates : Organic hydrocarbons. Carbon oxides (CO, CO<sub>2</sub>). Organic acids. Aldehydes. Water.

## SECTION 11: Toxicological information

### 11.1. Information on toxicological effects

Acute toxicity : Inhalation:dust/mist: Harmful if inhaled.

Fuel oil No. 2 (68476-30-2)	
LD50 oral rat	12 g/kg
LD50 dermal rabbit	4720 µl/kg
Distillates, petroleum, full-range straight-run middle (68814-87-9)	
LD50 oral rat	5000 mg/kg
LD50 dermal rabbit	> 2000 mg/kg
LC50 inhalation rat (mg/l)	1.72 mg/l/4h
Distillates, petroleum, hydrotreated middle (64742-46-7)	
LD50 oral rat	7400 mg/kg
LD50 dermal rabbit	> 2000 mg/kg
Distillates, petroleum, light catalytic cracked (64741-59-9)	
LD50 oral rat	3200 mg/kg
LD50 dermal rat	> 2000 mg/kg
LC50 inhalation rat (mg/l)	3.4 mg/l/4h
Benzene (71-43-2)	
LD50 dermal rabbit	> 8200 mg/kg
LC50 inhalation rat (mg/l)	44.66 mg/l/4h (vapor)

# Diesel Fuels, ULSD & Bio 5 or less

## Safety Data Sheet

Prepared according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

<b>Ethylbenzene (100-41-4)</b>	
LD50 oral rat	3500 mg/kg
LD50 dermal rabbit	15400 mg/kg
LC50 inhalation rat (mg/l)	17.2 mg/l/4h
ATE CLP (gases)	4500.000 ppmv/4h
ATE CLP (vapors)	11.000 mg/l/4h
ATE CLP (dust,mist)	1.500 mg/l/4h

Skin corrosion/irritation : Not classified  
Serious eye damage/irritation : Not classified  
Respiratory or skin sensitisation : Not classified  
Germ cell mutagenicity : May cause genetic defects.  
Carcinogenicity : May cause cancer.

<b>Benzene (71-43-2)</b>	
IARC group	1 - Carcinogenic to humans
National Toxicology Program (NTP) Status	2 - Known Human Carcinogens

<b>Ethylbenzene (100-41-4)</b>	
IARC group	2B - Possibly carcinogenic to humans

Reproductive toxicity : Not classified  
Specific target organ toxicity (single exposure) : Not classified  
Specific target organ toxicity (repeated exposure) : May cause damage to organs (liver, spleen, bone marrow) through prolonged or repeated exposure.  
Aspiration hazard : May be fatal if swallowed and enters airways.  
Symptoms/injuries after inhalation : Harmful if inhaled.  
Symptoms/injuries after skin contact : May cause skin irritation.  
Symptoms/injuries after eye contact : Direct contact with the eyes is likely to be irritating.  
Symptoms/injuries after ingestion : May be fatal if swallowed and enters airways.  
Chronic symptoms : May cause genetic defects. May cause cancer. May cause damage to organs through prolonged or repeated exposure.

### SECTION 12: Ecological information

#### 12.1. Toxicity

Ecology - general : No information available.

#### 12.2. Persistence and degradability

<b>Diesel Fuels, ULSD &amp; Bio 5 or less</b>	
Persistence and degradability	No information available.

#### 12.3. Bioaccumulative potential

<b>Diesel Fuels, ULSD &amp; Bio 5 or less</b>	
Bioaccumulative potential	No information available.

#### 12.4. Mobility in soil

<b>Diesel Fuels, ULSD &amp; Bio 5 or less</b>	
Ecology - soil	No information available.

#### 12.5. Other adverse effects

Other adverse effects : No data available.

### SECTION 13: Disposal considerations

#### 13.1. Waste treatment methods

Waste treatment methods : Obtain the consent of pollution control authorities before discharging to wastewater treatment plants.  
Waste disposal recommendations : Dispose in a safe manner in accordance with local/national regulations. Do not allow the product to be released into the environment.

### SECTION 14: Transport information

In accordance with DOT  
Transport document description : UN1202 Diesel fuel (Fuel Oil, No. 2), 3, III  
UN-No.(DOT) : 1202

# Diesel Fuels, ULSD & Bio 5 or less

## Safety Data Sheet

Prepared according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

DOT NA no. : UN1202  
Proper Shipping Name (DOT) : Diesel fuel  
Fuel Oil, No. 2  
Department of Transportation (DOT) Hazard Classes : 3 - Class 3 - Flammable and combustible liquid 49 CFR 173.120  
Hazard labels (DOT) : 3 - Flammable liquid



Packing group (DOT) : III - Minor Danger  
DOT Quantity Limitations Passenger aircraft/rail (49 CFR 173.27) : 60 L  
DOT Quantity Limitations Cargo aircraft only (49 CFR 175.75) : 220 L  
DOT Vessel Stowage Location : A - The material may be stowed "on deck" or "under deck" on a cargo vessel and on a passenger vessel.

### Additional information

Other information : No supplementary information available.

### Transport by sea

No additional information available

### Air transport

No additional information available

## SECTION 15: Regulatory information

### 15.1. US Federal regulations

#### Diesel Fuels, ULSD & Bio 5 or less

All chemical substances in this product are listed in the EPA (Environment Protection Agency) TSCA (Toxic Substances Control Act) Inventory  
All the constituents of this preparation are registered in the EINECS inventory or in the ELINCS list

SARA Section 311/312 Hazard Classes	Immediate (acute) health hazard Delayed (chronic) health hazard Fire hazard
-------------------------------------	---

#### Benzene (71-43-2)

Section 302 (EHS) TPQ	
Section 304 EHS RQ	
CERCLA RQ	10 lb
Section 313	Listed on US SARA Section 313

#### Xylenes (o-, m-, p- isomers) (1330-20-7)

Section 302 (EHS) TPQ	
Section 304 EHS RQ	
CERCLA RQ	10 lb
Section 313	Listed on US SARA Section 313

#### Ethylbenzene (100-41-4)

Section 302 (EHS) TPQ	
Section 304 EHS RQ	
CERCLA RQ	1000 lb
Section 313	Listed on US SARA Section 313

### 15.2. International regulations

#### CANADA

#### Diesel Fuels, ULSD & Bio 5 or less

All chemical substances in this product are listed on the Canadian DSL (Domestic Substances List)

### 15.3. US State regulations

#### California Proposition 65

# Diesel Fuels, ULSD & Bio 5 or less

## Safety Data Sheet

Prepared according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

WARNING! This product contains chemicals known to the state of California to cause cancer, birth defects, or other reproductive harm.

<b>Benzene (71-43-2)</b>				
U.S. - California - Proposition 65 - Carcinogens List	U.S. - California - Proposition 65 - Developmental Toxicity	U.S. - California - Proposition 65 - Reproductive Toxicity - Female	U.S. - California - Proposition 65 - Reproductive Toxicity - Male	No significance risk level (NSRL)
Yes	Yes	No	Yes	6.4 (oral) µg/day 13 (inhalation) µg/day

<b>Ethylbenzene (100-41-4)</b>				
U.S. - California - Proposition 65 - Carcinogens List	U.S. - California - Proposition 65 - Developmental Toxicity	U.S. - California - Proposition 65 - Reproductive Toxicity - Female	U.S. - California - Proposition 65 - Reproductive Toxicity - Male	No significance risk level (NSRL)
Yes	No	No	No	54 (inhalation) µg/day 41 (oral) µg/day

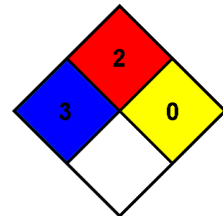
<b>Benzene (71-43-2)</b>				
U.S. - Massachusetts - Right To Know List U.S. - New Jersey - Right to Know Hazardous Substance List U.S. - Pennsylvania - RTK (Right to Know) - Special Hazardous Substances U.S. - Pennsylvania - RTK (Right to Know) - Environmental Hazard List				

<b>Ethylbenzene (100-41-4)</b>				
U.S. - New Jersey - Right to Know Hazardous Substance List U.S. - Massachusetts - Right To Know List U.S. - Pennsylvania - RTK (Right to Know) - Environmental Hazard List				

### SECTION 16: Other information

Indication of changes : Revision 1.0: New SDS Created.  
 Revision date : 05/12/2015  
 Other information : Author: BCS.

NFPA health hazard : 3 - Short exposure could cause serious temporary or residual injury even though prompt medical attention was given.  
 NFPA fire hazard : 2 - Must be moderately heated or exposed to relatively high temperature before ignition can occur.  
 NFPA reactivity : 0 - Normally stable, even under fire exposure conditions, and are not reactive with water.



#### HMIS III Rating

Health : 3\*  
 Flammability : 2  
 Physical : 0  
 Personal Protection :

Information contained herein was based on data and compiled from reference materials and other sources believed to be reliable and is offered in good faith. However, the SDS's accuracy or completeness is not guaranteed by Apex, nor is any responsibility assumed or implied for any loss or damage resulting from inaccuracies or omissions. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of use of the product are therefore assumed by the user and WE EXPRESSLY DISCLAIM ALL WARRANTIES OF EVERY KIND AND NATURE, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE IN RESPECT TO THE USE OR SUITABILITY OF THE PRODUCT. Nothing is intended as a recommendation for uses which infringe valid patents or as extending license under valid patents. Appropriate warnings and safe handling procedures should be provided to handlers and users.