

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

DEC 30 2008

Ms. Rebecca Horton, Agent for
Lilly Miller Brands
Registrations By Design, Inc.
118 ½ East Main St., Suite 1
Salem, VA 24153-3805

Subject: Label Notification for Pesticide Registration Notices (PRNs) 2007-4 and 2008-1

Dear Ms. Horton,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRNs) 2007-4 and 2008-1 dated July 24, 2008 for the product Lilly Miller Dandelion Killer (EPA Registration Number 802-146). The Registration Division (RD) has conducted its review of this request for its applicability under PRNs 2007-4 and 2008-1 and finds that the label changes requested fall within the scope of PRNs 2007-4 and 2008-1. The label submitted with the application has been stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



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United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 802-146	2. EPA Product Manager Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lilly Miller Dandelion Killer	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Central Garden & Pet dba Lilly Miller Brands 1340 Treat Blvd., Ste. 650 Walnut Creek, CA 94597 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: NOTIFICATION EPA Reg. No. _____ Product Name _____ DEC 30 2008	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

NOTIFICATION of: (1) Label Change per PR Notice 2007-4, and (2) Label Change per PR Notice 2008-1
This notification is consistent with the provisions of PR Notices 2007-4, 2008-1 and 98-10 and the requirements of EPA regulations at 40 CFR 152.46, 156.10, 156.80, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. Lilly Miller Brands understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA, and further understands that if the amended label is not consistent with the requirements of PR Notices 2007-4, 2008-1 and 98-10, and 40 CFR 152.46, 156.10, 156.80, 156.140, 156.144, 156.146 and 156.156, this product may be in violation of FIFRA and Lilly Miller Brands may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 qt		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Rebecca M. Horton	Title Consultant/Agent for Lilly Miller Brands	Telephone No. (Include Area Code) 540-375-8826
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature <i>Rebecca M. Horton</i>	3. Title Consultant/Agent for Lilly Miller Brands	
4. Typed Name Rebecca M. Horton	5. Date July 24, 2008	

Registrations by Design, Inc.™

118½ East Main Street
Suite 1
Salem, VA 24153-3805
phone 540.375.8826
fax 540.375.8827

CERTIFIED MAIL #7007 2680 0002 5828 9888
July 24, 2008

Document Processing Desk (NOTIF)
Office of Pesticide Programs/Reg. Div. (7505P)
U.S. Environmental Protection Agency
Ariel Rios Bldg.
1200 Pennsylvania Ave., NW
Washington, DC 20460

Re: NOTIFICATION FOR COMPLIANCE WITH PR NOTICE 2007-4 & 2008-1
EPA Reg. No. 802-146, Lilly Miller Dandelion Killer

Attn: Linda Arrington
Notifications & Minor Formulations Team Leader

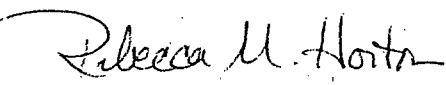
On behalf of Lilly Miller Brands of Walnut Creek, California, enclosed is notification for compliance with PR Notice 2007-4 and 2008-1 for the above-referenced product. PR Notice 2007-4 revisions are resubmitted under this action to assure incorporation with the label changes required under the July 3, 2008 Re-registration approval.

The following documents are enclosed:

- 1) EPA Form #8570-1, Application for Pesticide – Notification (2 copies)
- 2) Copy of the revised label with revisions highlighted in blue.

If further action or information is required on Lilly Miller Brands' behalf, please advise.

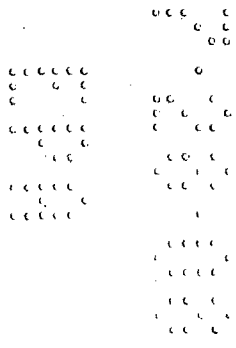
Best regards,



Rebecca M. Horton
Consultant/Agent for
LILLY MILLER BRANDS
e-mail: hortonb@ntelos.net

BMH/sjh

Enclosures



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LILLY MILLER DANDELION KILLER

Optional Marketing Statements:

Kills Dandelions, Chickweed, Knotweed, Plantains and other broadleaf weeds in lawns.

Kills tough weeds

Connect & Spray Applicator

Starts working in hours

See results in 24 hours

Kills weeds, not lawns

Won't harm lawns

Kills tough weeds

Kills dandelions, clover, chickweed, plantain, spurge, thistle & others

Treats (covers) up to 8,500 sq. ft.

ACTIVE INGREDIENT:

*Dimethylamine salt of 2,4-Dichlorophenoxyacetic acid (CAS #2008-39-1).....	13.13%
OTHER INGREDIENTS	<u>86.87%</u>
Total	100.00%

*2,4-Dichlorophenoxyacetic acid equivalent 10.9%+

+Isomer Specific by AOAC Method.

NOTIFICATION

DEC 30 2008

Keep out of reach of children

CAUTION

See back/side/other panel(s) for additional precautionary statements and first aid

NET CONTENTS 1 QUART (946 ml)

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION: Harmful if swallowed. Causes moderate eye injury. Wash thoroughly with soap and water after handling. Avoid contact with skin, eyes or clothing. Avoid breathing spray mist. When using this product, wear long-sleeved shirt, long pants, socks, shoes and rubber gloves. After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower. Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried.

FIRST AID

Have product container or 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. Have person sip a glass of water if able to swallow. 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 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.

If on skin or on 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.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

DIRECTIONS FOR USE

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

General Precautions and Restrictions

Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application. Do not allow people or pets to enter the treated area until sprays have dried. The maximum number of broadcast applications per treatment site is 2 per year. For household use only.

WHAT IS THIS PRODUCT? AND WHAT WILL IT DO?

Lilly/Miller Dandelion Killer will kill dandelions and many other lawn weeds. It can be used on both new and existing lawns.

Lilly/Miller Dandelion Killer will kill all these weeds, plus many more:

- | | | |
|------------|---------------|---------------|
| Bindweed | Healall | Sheperdspurse |
| Buttercup | Lambsquarters | Spurge |
| Chickory | Knotweed | Thistle |
| Chickweed | Mustard | Wild carrot |
| Clover | Pigweed | Yarrow |
| Cranesbill | Plantain | |
| Dandelion | Purslane | |

HOW DO I USE THIS PRODUCT?

When to use: Spray any time weeds are actively growing; spring and fall are the best. Do not spray when temperatures will go above 75 degrees or when rain is expected within 24 hours.

What to do: Spray the lawn evenly, using a coarse droplet spray. Wet solid patches of weeds well. Wait for 24 hours after spraying to water the lawn.

Continue to water and feed the lawn, to help fill in places where weeds have died. After 4 weeks, you may re-seed any remaining bare areas.

What not to do: Do not allow spray mist to drift onto vegetables, flowers, ornamental shrubs and trees, small fruits, fruit trees, or any other desirable plants. They will be damaged. Do not water the lawn for 24 hours after spraying. Do not use this product on Dichondra, St. Augustinegrass, carpetgrass, or desirable clovers. Apply to bermudagrass during dormancy or when actively growing; do not apply when semi-dormant or when in transition.

Mixing and Measuring – Shake Well before Using.

It's a good idea to have a separate sprayer just for weed killers, to avoid mix-ups.

Amount of Dandelion Killer	Fill to this level with water (gallons)	Spray to cover (square feet)
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Cool-season turfgrasses (bluegrass, fescue, and ryegrass):

Hose-end sprayers – Use a hose-end sprayer designed for lawns.

¾ cup (6 fl. oz.)	6	1200 (30'x 40')
1 ½ cups (12 fl. oz.)	12	2400 (40'x 60')

Tank Sprayer – Use a spray pattern which gives small droplets without fine mist. Over-pumping the sprayer will make a fine mist.

2 tbsp. (1 fl. oz.)	1	200 (10'x 20')
6 tbsp. (3 fl. oz.)	3	600 (20'x 30')

Warm-season turfgrasses (bahia grass, bermudagrass, buffalograss, centipedegrass, and zoysia):

Hose-end sprayers – Use a hose-end sprayer designed for lawns.

¾ cup (6 fl. oz.)	6	1600 (40'x 40')
1 ½ cups (12 fl. oz.)	12	3200 (40'x 80')

Tank Sprayer – Use a spray pattern which gives small droplets without fine mist. Over-pumping the sprayer will make a fine mist.

6 tbsp. (3 fl. oz.)	3	800 (20'x 40')
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Newly seeded lawns and lawns containing bentgrass – This is a special concentration; use on newly seeded lawns until grass has thickened up (6 – 8 weeks after seed has come up).

1 tbsp. (1/2 fl. oz.)	1	200 (10'x 20')
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'Spot' Spray – To spray individual weeds, use any type of tank or trigger sprayer. Do not use a hose-end sprayer.

4 tbsp. (2 fl. oz.)	1	wet each weed
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For container sold with hose-end sprayer attached:

Do not apply to newly seeded lawns until after the third mowing.

No mix, no measure—just attach to a garden hose and spray.

The easy-to-use sprayer attaches right to your garden hose. There's no mixing.

Use only what you need, then put it away for next time.

How to use the Connect & Spray Applicator:

1. Make sure knob control lever is in the OFF position. Shake well and attach to hose.
2. Turn water on at faucet, aim nozzle toward lawn and turn control lever to ON to begin spraying. The product will automatically siphon and mix with water.
3. When finished turn control lever to OFF position. Turn faucet off. Discharge residual water pressure by turning control lever ON and OFF again.

For application to cool-season turfgrasses (bluegrass, fescue, and ryegrass):

Apply at the rate of 1 fl. oz. of this product to 200 sq. ft of lawn. The contents of this container will treat 6,400 sq. ft. of listed cool-season turfgrasses.

For application to warm-season turfgrasses (bahagrass, bermudagrass, buffalograss, centipedegrass, and zoysia):

Apply at the rate of 1 fl. oz. of this product to 266 sq. ft of lawn. The contents of this container will treat approximately 8,500 sq. ft. of listed warm-season turfgrasses.

WHAT WILL I SEE?

Within 10 days you will see the leaves begin to curl and twist. Weeds will gradually die, taking several weeks to completely disappear.

STORAGE AND DISPOSAL

Pesticide Storage: Store this product out of reach of children and domestic animals. Keep from freezing.

Pesticide Disposal: If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

Container Disposal: If empty: Nonrefillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available.

NOTICE: To the extent consistent with applicable law, seller makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. To the extent consistent with applicable law, buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to label instructions.

[Lot no. to be added at production]

LILLY MILLER BRANDS
1340 Treat Blvd, Suite 650
Walnut Creek, CA 94597
www.lillymiller.com

NOTIFICATION

DEC 30 2008