



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAR 26 2008

NOTIFICATION

Rebecca M. Horton
Consultant/Agent for
Lilly Miller Brands
118 ½ East main Street
Salem, VA 24153-3805

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Ms. Horton:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated March 5, 2008 for:

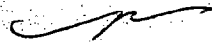
EPA Registration 802-415 Lilly Miller Superior Type Spray Oil
EPA Registration 802-586 Lilly Miller Hose 'n Go Weed & Feed
EPA Registration 802-596 Lilly Miller Ready-to-Use Blackberry & Brush Killer
EPA Registration 802-533 Lilly Miller Noxall Vegetation Killer

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-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 identify 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 contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,



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

3/10

Registrations by Design, Inc.SM

118 1/2 East Main Street
Suite 1:
Salem, VA 24153-3805
phone 540.375.8826
fax 540.375.8827

CERTIFIED MAIL #7007 3020 0001 8201 7879
March 7, 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
EPA Reg. No. 802-415, Lilly Miller Superior Type Spray Oil

Attn: Linda Arrington
Notifications & Minor Formulations Team Leader

On behalf of Lilly Miller Brands of Walnut Creek, California, enclosed is notification of administrative label revisions, including revision to the Storage & Disposal text for compliance with PR Notice 2007-4.

The following documents are enclosed:

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

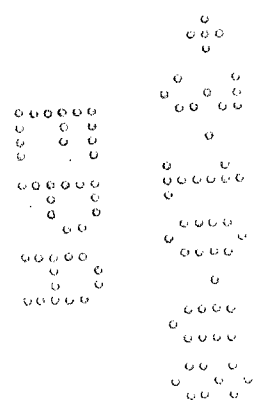
If further action or information is required on Lilly Miller Brands' behalf, please advise.

Best regards,

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

BMH/sjh

Enclosures



4/10



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 802-415	2. EPA Product Manager Abramovitch	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lilly Miller Superior Type Spray Oil	PM# 07	
5. Name and Address of Applicant (Include ZIP Code) Central Garden & Pet dba Lilly Miller Brands 1340 Treat Blvd., Suite 650 Walnut Creek, CA 95497 <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: EPA Reg. No. NOTIFICATION Product Name MAR 26 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
 This notification is consistent with the provisions of PR Notice 2007-4 and the requirements of EPA regulations at 40 CFR 156.10, 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 40 CFR 156.10, 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
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 pt. and 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 checked="" 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) 540-875-8826	
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.			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 MAR - 7 2008		

5/10



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 802-415	2. EPA Product Manager Abramovitch	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lilly Miller Superior Type Spray Oil	PM#	
5. Name and Address of Applicant (Include ZIP Code) Central Garden & Pet dba Lilly Miller Brands 1340 Treat Blvd., Suite 650 Walnut Creek, CA 95497 <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: <p style="text-align: center;">NOTIFICATION</p> EPA Reg. No. _____ Product Name _____ <p style="text-align: center; font-size: 1.2em;">MAR 26 2008</p>	

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
 This notification is consistent with the provisions of PR Notice 2007-4 and the requirements of EPA regulations at 40 CFR 156.10, 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 40 CFR 156.10, 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	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
		If "Yes" Package wgt.	No. per container	<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 pt. and 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 checked="" 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 	3. Title Consultant/Agent for Lilly Miller Brands	
4. Typed Name Rebecca M. Horton	5. Date MAR -7 2008	

6/10

NOTIFICATION

MAR 26 2008

**LILLY MILLER®
SUPERIOR TYPE SPRAY OIL**

Year Around (and Pre-Season) Insect Control
Protects fruit trees, shrubs and ornamentals
Protects roses, fruits and ornamental shrubs
Kills spider mites, scale, and aphid eggs
Contains highly refined horticultural oil
Smothers listed pests and their eggs
A traditional, time-tested product
Spray Oil

ACTIVE INGREDIENT:

Petroleum Oil 99%

INERT INGREDIENTS 1%

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, inhaled or absorbed through the skin. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

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. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to a person. Do not give anything 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. Call a poison control center or doctor for treatment advice.

If on skin: 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.

NOTE TO PHYSICIAN: Contains petroleum distillate. Vomiting may cause aspiration pneumonia.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water when disposing of equipment washwaters. Apply this product only as specified on this label.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only. Not for indoor use. SHAKE WELL BEFORE USING.

USE PRECAUTIONS

For foliage application the spray tank must be free of any sulfur residue before using this material. Do not combine sulfur sprays with this material on foliage during spring and summer months and do not follow a previous application of sulfur or apply sulfur following an application of this material until sufficient time has elapsed for safety (at least 30 days). If in doubt, spray a portion of one tree previously treated with sulfur using 2 1/2 Tbsp. oil to 1 gallon of water (1 quart of oil to 25 gallons of water). If sufficient time has not elapsed, burn will show in several days.

Do not use oil spray when temperatures are above 90 degrees F. When temperatures drop below 32 degrees F during night, do not spray tree and vine crops until daytime temperatures have warmed to a point above 35 degrees F and crops are free from moisture due to melting frost or heavy dews.

Do not use on foliage closer than 60 days after or 90 days before using CAPTAN or PHALTAN* products. Do not use in combination with SEVIN* [carbaryl]. Application to trees weakened by disease, drought, drying winds, or high nitrogen applications may result in oil injury.

*PHALTAN is the registered trademark for phthalimide fungicide. *SEVIN is the reg. T.M. of Rhone-Poulenc for carbaryl insecticide.

Minimum Unulfonated Residue 92%
Petroleum Oils Classification - unclassified
A 70 second viscosity type oil

WHERE TO USE	WHEN TO USE	Tablespoons Per gal. of Water
APPLES-Rust Mite (aid in control of)	<u>Delayed Dormant</u> Summer Use	4 2 1/2
APPLES, PEARS-San Jose Scale, Italian Pear Scale, Eggs of Aphids, Red Spider Mites	Dormant or Delayed Dormant*	5
Red Spider Mites	Summer Use	2
San Jose & Italian Pear Scales (Summer forms)	Summer Use	2 1/2
PEARS-Pear Psylla	Delayed Dormant*	5
	Summer Use	2 1/2
Blister Mite	Delayed Dormant* & Fall Spray	5
APRICOTS, CHERRIES, NECTARINES PEACHES, PRUNES, WALNUTS and ALMONDS		
Scales: Brown Apricot, Black, San Jose, Olive (Parlatoria), Oleander, Frosted, Italian Pear, European Fruit Lecanium, Putnam, Soft Brown; Eggs of Aphids, Red Spider Mites	Dormant or Delayed Dormant*	5
Red Spider Mites	Summer Use	2
Brown Apricot & San Jose Scales (Summer stages)	Summer Use	2 1/2
ORNAMENTALS AND SHADE TREES Such as: Birch, Cherry (flowering), Dogwood, Evergreens (see note), Hawthorn, Holly, Magnolia, Maple, Oak, Peach (flowering),	Dormant or Delayed Dormant* Spray on Deciduous Varieties	5

Privet, Pyracantha, Roses, Sycamores-- Dormant or Delayed Dormant* Spray
 Red Spider Mites and Eggs, on Evergreen Varieties 2 1/2
 Scales: Soft Brown, Oyster Shell,
 Brown Apricot, Black, and San Jose

NOTE: May cause discoloration of Blue Spruce. Do not use on Evergreens or Ferns not tolerant to oil sprays.

FIGS-Fig Scale	Dormant or Delayed Dormant *	7 1/2
OLIVES-Spider Mites, Scales: Parlatoria, Oleander and Black	Pre-bloom or post bloom up to buckshot**	2 1/2
ORANGES (Valencia)-Red Spider Mites Scale: Red, Black, Yellow & Purple	Do not use later than September 1	2 1/2

*Delayed Dormant--The period just before blossom buds break open.

**Buckshot--Young olives about the size of peas.

NOTE: This product may be combined with Lilly/Miller Polysul Summer & Dormant Spray for use as a dormant combination spray. Refer to the Lilly/Miller Polysul label for recommended rates.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store this product in its original container and keep out of reach of children and domestic animals. 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.

Alternate use directions for container with hose-end sprayer attached, labeled with dormant season application rates only:

For best results, completely cover all twigs, branches and trunk with spray.

To control both insects and diseases, [EPA Reg. No. 801-415] and [EPA Reg. No. 802-73] can be used together. Spray [EPA Reg. No. 802-73] first and allow it to dry completely, usually 24 hours. Then spray [EPA Reg. No. 802-415].

HOW DO I USE THIS PRODUCT?

1. Shake container well.
2. Remove the child-resistant closure and save it for resealing the container when you are finished.
3. Insert the dip tube of the hose-end applicator into the bottle and seal the applicator head tightly to the bottle.
4. Connect spray nozzle to garden hose.
5. Turn on the water from the faucet.
6. When you are ready to spray, turn the knob on top so that it points to the MIX position on the spray head. (Fig. 1)
7. The spray deflector on the front of the hose-end applicator can be rotated to give a stream or fan spray. (Fig. 2)

TO STOP SPRAYING:

1. When you are finished spraying or if you have to stop spraying at any time, turn the knob back to the OFF position. (Fig. 3)
2. Turn off the water from the faucet.
3. Turn the knob to H2O then OFF, to drain the water from the hose. (Fig. 4)
4. Unscrew spray nozzle from hose. Remove hose-end from container.
5. Reseal the container with the child-resistant closure. Rinse the hose-end applicator.

NOTICE: Follow directions carefully. Timing and method of application, weather or crop conditions, mixtures with other chemicals not specifically recommended and other influencing factors in the use of this product are beyond the control of the seller. To the extent consistent with applicable law, buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith.

For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378. All other inquiries: info@excelmktg.com.

[Lot no. to be added at production]

LILLY MILLER BRANDS
1340 Treat Blvd., Suite 650
Walnut Creek, CA 94957

www.lillymiller.com
Printed in U.S.A.
Product of Canada