

802-485

3-28-2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Rebecca M Horton, Agent for
Central Garden & Pet dba Lilly Miller Brands
Registration by Design, Inc
118 1/2 East Main Street, Suite 1
Salem, VA 24153—3805

MAR 28 2008

Subject: Notification(s) for Label Revisions under PRN 98-10 and PRN 2007-4
(Storage & Disposal and Other Changes (Warranty Statement))

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 dated March 7, 2008 for:

EPA Registration 802-485 "Lilly Miller Lawn Weed Killer"

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 98-10 and PRN 2007-4 and finds that the label changes requested fall within the scope of PRN-98-10 and 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 non-refillable 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 Owen F. Beeder of my staff at 703-308-8899.

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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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 & revised warranty statement
EPA Reg. No. 802-485, Lilly Miller Lawn Weed Killer

Attn: Linda Arrington
Notifications & Minor Formulations Team Leader

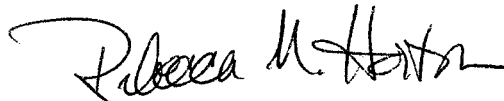
On behalf of Lilly Miller Brands of Walnut Creek, California, enclosed is notification of administrative label revisions, including revision to the Storage & Disposal text for compliance with PR Notice 2007-4 and revised warranty statement.

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



 United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 802-485	2. EPA Product Manager Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lilly Miller Lawn Weed Killer	PM# 23	
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. _____ Product Name _____

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.

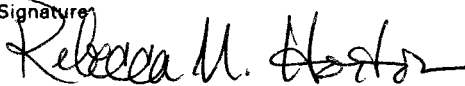
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

NOTIFICATION of: (1) Label Change per PR Notice 2007-4 & revised warranty statement.
 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	If "Yes" Package wgt	No. per container
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 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
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	

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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
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Application for Pesticide - Section I

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4. Company/Product (Name) Lilly Miller Lawn Weed Killer	PM# 23	
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. _____ Product Name _____	

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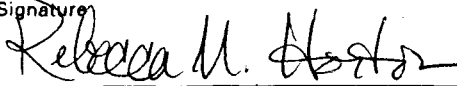
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Section - III

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 <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container		
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	
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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			

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LILLY MILLER
LAWN WEED KILLER

[Additional Brand Name(s): Lilly Miller Spurge & Oxalis Killer]

Kills lawn weeds without harming lawn grasses
Covers up to 9,600 sq. ft.
Kills dandelions, clover, plantain, chickweed
Also kills hard to control weeds such as spurge, oxalis, and Japanese clover
Begins working overnight
Controls more than 200 weeds!
Contains TRIMEC® Herbicide

ACTIVE INGREDIENTS:

Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid	9.41%
Dimethylamine Salt of (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid	2.27%
Dimethylamine Salt of Dicamba (3,6-dichloro-o-anisic acid)	1.04%
INERT INGREDIENTS	<u>87.28%</u>
Total	100.00%

This product contains:

- 0.68 lbs. 2,4-Dichlorophenoxyacetic acid equivalent per gallon or 7.82%
 - 0.17 lbs. (+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent per gallon or 1.87%
 - 0.075 lbs. 3,6-Dichloro-o-anisic acid equivalent per gallon or 0.86%
- Isomer Specific by AOAC Methods.

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. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. When handling this product, wear chemical resistant gloves. Wear long pants, long-sleeved shirt, socks, shoes, gloves, face shield or goggles when mixing, loading or applying this product. 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 reenter or permit others to reenter treated areas until sprays have 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 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.

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 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.

ENVIRONMENTAL HAZARDS

Do not apply when weather conditions favor drift from target area. This product is toxic to aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and nontarget plants. 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 washwaters. When cleaning equipment, do not pour the washwater on the ground; spray or drain over a large area away from wells and other water sources.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D and MCPP have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D and MCPP pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. The maximum number of broadcast applications per treatment site is two per year. For household use only. KEEP FROM FREEZING.

What is this product? And what will it do?

Lawn Weed Killer will kill even the worst lawn weeds--roots and all--without harming the grass.

For lawns containing bentgrass, use the special rate on the chart below. In California and the Southwest, do not use this product on dichondra, St. Augustinegrass, bahia grass, centipedegrass, carpetgrass, bermudagrass, buffalograss or Zoysia lawns.

Lawn Weed Killer will kill all these weeds, plus many more:

Controls more than 200 weeds! Including any or all of the following:

Annual yellow sweetclover
Aster
Austrian fieldcress
Bedstraw
Beggarticks
Betony, Florida
Bindweed, field
Bird vetch
Bitter wintercress
Bittercress, hairy
Bitterweed
Black-eyed Susan
Black medic
Black mustard
Blackseed plantain
Blessed thistle
Bloodflower milkweed
Blue lettuce
Blue vervain
Bracted plantain
Brassbuttons
Bristly oxtongue
Broadleaf dock
Broadleaf plantain
Broomweed
Buckhorn
Buckhorn plantain
Bulbous buttercup
Bull thistle
Bullnettle
Burclover
Burdock
Burning nettle
Burweed
Buttercup
Buttonweed
Canada thistle
Carolina geranium
Carpetweed
Catchweed bedstraw
Catnip
Catsear
Chickweed, common
Chickweed, mouseear
Chicory
Cinquefoil
Clover, crimson
Clover, hop
Clover, red
Clover, strawberry
Clover, sweet

Clover, white
Cockle
Cocklebur
Common mullein
Creeping jenny
Cudweed
Curly dock
Daisy, English
Daisy fleabane
Daisy, oxeye
Dandelion
Dichondra
Dogbane
Dogfennel
Dollarweed
Elderberry
False dandelion
False flax
False sunflower
Fiddleneck
Florida pusley
Frenchweed
Galinsoga
Goathead
Goldenrod
Ground ivy
Gumweed
Hairy fleabane
Hawkweed
Healall
Heartleaf drymary
Heathaster
Hedge bindweed
Hedge mustard
Hemp
Henbit
Hoary cress
Hoary plantain
Hoary vervain
Horsenettle
Jimsonweed
Knawel
Knotweed
Kochia
Lambsquarters
Lespedeza
Mallow
Matchweed
Mexicanweed
Milk vetch
Morningglory

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Mouseear hawkweed
Mugwort
Musk thistle
Mustard
Narrowleaf plantain
Narrowleaf vetch
Nettle
Orange hawkweed
Oriental cocklebur
Oxalis
Parsley-piert
Parsnip
Pearlwort
Pennycress
Pennywort
Peppergrass
Pepperweed
Pigweed
Pineywoods bedstraw
Plains coreopsis (tickseed)
Plantain
Poison ivy
Poison oak
Pokeweed
Poorjoe
Prairie sunflower
Prickly lettuce
Prickly sida
Prostrate knotweed
Prostrate pigweed
Prostrate spurge
Prostrate vervain
Puncturevine
Purslane, common
Ragweed
Red sorrel
Redroot pigweed
Redstem filaree
Rough cinquefoil
Rough fleabane
Russian pigweed
Russian thistle
Scarlet pimpernel
Scotch thistle
Sheep sorrel
Shepherdspurse
Slender plantain
Smallflower galinsoga
Smooth dock
Smooth pigweed
Sorrel

Sowthistle
Spanishneedles
Speedwell
Spiny amaranth
Spiny cocklebur
Spiny sowthistle
Spotted catsear
Spotted spurge
Spurweed
Stinging nettle
Strawberry, India mock
Tall nettle
Tall vervain
Tansy ragwort
Tansy mustard
Tanweed
Thistle
Trailing crownvetch
Tumble mustard
Tumble pigweed
Velvetleaf
Venice mallow
Virginia buttonweed
Virginia creeper
Virginia pepperweed
Water pennywort
Wavyleaf bullthistle
Western clematis
Western salsify
White mustard
Wild aster
Wild buckwheat
Wild carrot
Wild four-o'clock
Wild garlic
Wild geranium
Wild lettuce
Wild marigold
Wild mustard
Wild onion
Wild parsnip
Wild radish
Wild rape
Wild strawberry
Wild sweet potato
Wild vetch
Woodsorrel
Woolly croton
Woolly morningglory
Woolly plantain
Wormweed

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Yarrow
Yellow rocket
Yellowflower pepperweed
And other broadleaf weeds

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 85 degrees F or when rain is expected within 24 hours.

What To Do: Spray the lawn evenly, using a coarse droplet spray. 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 spray Lawn Weed Killer in areas where shrub or tree roots may be located.

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 Lawn Weed Killer	Fill to this level with water (gallons)	Spray to cover (square feet)
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Hose-end Sprayers - Use a hose-end sprayer designed for lawns.

2 Tbsp. (1 fl. oz.)	1	300 (15'x 20')
1-1/4 cups (10 fl. oz.)	10	3000 (50'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	300 (15'x 20')
6 Tbsp. (3 fl. oz.)	3	900 (30'x 30')

New lawns and lawns containing Bentgrass - This is a special concentration; use it 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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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 in its original container out of reach of children and domestic animals. Keep from freezing. PESTICIDE DISPOSAL: If partly filled: Call your local solid waste agency 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.

TRIMEC® is a registered trademark of PBI/Gordon Corporation.

NOTICE: To the extent consistent with applicable law, seller makes no warranty, express 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 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
Printed in USA
Product of Canada
www.lillymiller.com