

802-543

4/25/2012

1 of 10



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Rebecca M. Horton
Lilly Miller Brands
2030 Powers Ferry Road
Suite 370
Atlanta, GA 30339

APR 25 2012

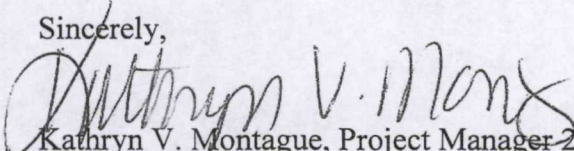
Subject: Lilly Miller Ultragreen Moss Control Lawn Food
EPA Reg. No. 802-543
Label Notification per PRN 98-10
Application Dated: January 16, 2012

Dear Ms. Horton,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for Lilly Miller Ultragreen Moss Control Lawn Food (EPA Reg. No. 802-543) dated January 16, 2012. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please contact Emily Hartman via email at hartman.emily@epa.gov or by phone at (703) 347-0189.

Sincerely,


Kathryn V. Montague, Project Manager-23
Herbicide Division
Registration Division
Office of Pesticide Programs

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

Application for Pesticide - Section I

| | | |
|--|---|--|
| 1. Company/Product Number 802-543 | 2. EPA Product Manager K. Montague | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) LILLY MILLER Ultragreen Moss Control Lawn Food | PM# Team 23 | |
| 5. Name and Address of Applicant (Include ZIP Code) Lilly Miller Brands 2030 Powers Ferry Road, Ste. 370 Atlanta, GA 30339 <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 APR 25 2012 | |

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.)

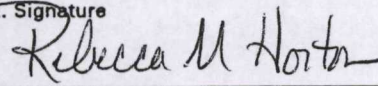
NOTIFICATION to add marketing claim "Phosphorous Free!" - as appropriate when produced under Agency approved formulation utilizing a zero-phosphorous fertilizer blend.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the Confidential Statement of Formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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: | | | |
| 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 | 2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" 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 3,5,20,40LB | 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 | 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 | |
| 4. Typed Name Rebecca M. Horton | 5. Date January 16, 2012 | |

Registrations by Design, Inc.SM

USPS PRIORITY DELIVERY CONFIRMATION
#9405 5036 9930 0375 1240 34
January 16, 2012

phone 540.375.8826
fax 540.375.8827

Document Processing Desk (NOTIF)
Office of Pesticide Programs/Registration Division (7504P)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, DC 20460

Re: Notification: EPA Reg. No. 802-543 LILLY MILLER Ultragreen Moss Control Lawn Food

Attn: Kathryn Montague, PM Team 23

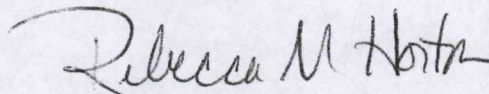
On behalf of Lilly Miller Brands of Atlanta, GA, enclosed is notification to add the optional marketing claim "Phosphorous Free!" – to be featured on product produced under the Agency-approved formulation(s) containing a zero-phosphorous fertilizer blend.

The following documents are enclosed:

- 1) EPA Form 8570-1, Application for Pesticide – Notification
- 2) Revised label – with marketing claim highlighted.

If additional 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
Enclosures

Mailing address:
P.O. Box 1019, Salem, VA 24153

Established
1996

MASTER LABEL:

LILLY/MILLER ULTRAGREEN MOSS CONTROL LAWN FOOD

[Additional Brand Names: Lilly Miller Moss Out! Lawn Granules; Lilly Miller Moss Out! Spot Treater for Lawns & Flower Beds Dry Formula; Lilly Miller Moss Out! Plus Fertilizer]

Optional marketing statements:

- Kills Lawn Moss Quickly!
- See Results in Hours
- Turns Lawns a Deep Green
- No Excess Growth, Less Mowing!
- Made For Northwest Lawns
- Develops Thick, Deep Green Turf To Discourage Moss Growth
- Feeds Lawns Even In Cool Weather
- With 10% Moss-Killing Iron
- 20-2-5 (example N-P-K declaration)
- Covers (treats) up to x,xxx sq. ft. [area based on packaging size]
- Kills patches of unwanted moss
- Ready-To-Use Granules
- Easy-Grip shaker canister
- Kills moss & feeds lawns in one easy application
- Extra iron for a dark green lawn
- Quick green that lasts up to two months
- With Natural & Slow Release Fertilizers
- Kills moss and feeds your lawn in one step
- Controls moss while feeding your lawn
- Easy to use shaker bag
- xx LB SIZE
- Phosphorous Free! [when appropriate to fertilizer blend used in formulation]

NOTIFICATION

APR 25 2012

ACTIVE INGREDIENT:

Ferrous Sulfate Monohydrate 32.0%

INERT INGREDIENTS 68.0%

Keep out of reach of children

CAUTION

See back panel for additional precautionary statements and First Aid.

Net Weight 3 [5, 20, 40] LB (1.3 kg, [2.2 kg, 9 kg, 18 kg]

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

CAUTION: Causes eye irritation. Do not get in eyes, on skin or clothing. Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing dust. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling and before eating or smoking. Do not allow persons or pets in treated areas until granules have been watered in and treated area is dry.

FIRST AID

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. 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:** Remove 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. Have the product container or label with you when calling a poison control center or doctor or going for treatment.

ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters.

DIRECTIONS FOR USE (version MO+F)

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only. Not for use indoors.

Optional marketing statements: Moss invades the weak spots in your lawn caused by thinning and excess thatch build up. Controlling moss and fertilizing will make your lawn vigorous and strong, and less susceptible to further moss invasion. **THIS PRODUCT** is a special combination of plant foods formulated to control moss and promote strong, vigorous, lush green turf. A few days after you have applied **THIS PRODUCT**, the moss will die and turn black. Repair thin areas with [Lilly Miller®] grass seed. Or if you're in a hurry, use Lilly Miller® Grass Back!™ Lawn Repair, a special mix of premium seed, unique granulated mulch, and fertilizer which ensures a beautiful lawn.

Captions for illustrations:

Begin spreading by laying down two strips of lawn food (this product) at each end of lawn. Fill in remaining area as shown here. Close the spreader when you stop walking or make turns to avoid uneven coverage. Overlap previous wheel track slightly, as shown, to avoid gaps in coverage. Water in after application.

For best results, apply THIS PRODUCT when the lawn is moist. Mow lawn to expose existing moss prior to application. This allows the granules to fall through the grass to the soil and go to work. Water in to hasten the moss killing action and greening process. Apply at the rate of 20 lbs. per 4,000 square feet for heavy moss infestations or 20 lbs. per 5,000 square feet for lighter moss infestations.

DIRECTIONS FOR USE (version MOLG)

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only. Not for use indoors.

Optional marketing statements: Lawn moss is a common problem in many areas. Moss thrives in damp, shady lawns where the soil is acidic and drainage is poor. Under these conditions moss can spread into areas where grass once grew. If steps are not taken, moss can take over a lawn. Fortunately, moss can be quickly killed with applications of THIS PRODUCT. Killing the moss gives grasses a chance to "reclaim" the lawn. Since grass may be slow to fill in bare spots, we suggest reseeding with a quality Lilly Miller® grass seed. THIS PRODUCT has another benefit: It turns grass a deep green, the color most of us want for our lawns. THIS PRODUCT has 10% Iron to kill lawn moss and green the grass. Because no fertilizer is added you get moss control and greening without excessive growth that requires frequent mowing.

Captions for illustrations: Begin spreading by laying down two strips of THIS PRODUCT at each end of lawn. Fill in remaining area as shown here. Close the spreader when you stop walking or make turns to avoid uneven coverage. Overlap previous wheel track slightly, as shown, to avoid gaps in coverage. Water in after application.

For best results, apply THIS PRODUCT when the lawn is moist. Mow lawn to expose existing moss prior to application. This allows the granules to fall through the grass to the soil and go to work. Water in to hasten the moss killing action and greening process. Apply at the rate of 20 lbs. per 4,000 square feet [40 lbs. per 8,000 square feet] for heavy moss infestations or 20 lbs. per 5,000 square feet [40 lbs. per 10,000 square feet] for lighter moss infestations.

DIRECTIONS FOR USE (version MOST)

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only. Not for use indoors.

Kill unwanted patches of moss quickly and easily with THIS PRODUCT. Moss competes with the turf and creates thin areas in the grass. Moss growing under ornamental shrubs and in flower beds is unsightly and can harbor insects. The best time to control moss is when it is actively growing. Moss grows most vigorously during rainy periods in spring and fall, but will grow all year in some shady or moist areas.

TO SPOT TREAT MOSS IN LAWNS

PREPARE THE LAWN: Apply anytime the lawn is moist and moss is actively growing. Treatment in fall or early spring is most effective. Mow the lawn to expose moss and remove clippings.

TREAT THE MOSS: For spot treatment, sprinkle granules over mossy areas in lawn. Use diagram as a guide for application rate. This container will treat _____ (determined by weight of end-use container) square feet of lawn. Immediately after sprinkling granules, water treated areas thoroughly. A gentle rain, even immediately after spot treatment, will not significantly affect the moss-killing ability of this product. Wait several days until moss turns black and dies, then gently rake it out.

Since grass may be slow to fill in bare spots, we suggest reseeding with a quality Lilly Miller® grass seed. To reduce soil acidity which may contribute to moss growth, apply Lilly Miller® Super Sweet™ or Lilly Miller® Soil Sweet™ lime according to label directions. Apply lime anytime—before, during, or after moss control treatment.

TO SPOT TREAT MOSS AROUND ORNAMENTAL SHRUBS & IN FLOWER BEDS

Apply anytime moss is actively growing and the soil is moist. Sprinkle granules over mossy areas. See diagram for application rate. Immediately after sprinkling granules, water treated areas thoroughly. Wait several days and carefully rake out dead moss. **IMPORTANT:** This product will burn foliage if applied directly to flowers or ornamental shrubs. If contact occurs, use a hose to wash this product off these plants right away.

[DIAGRAM]

Use the diagram above as a guide for uniform distribution of granules. Apply evenly, as shown.

To quickly and effectively kill moss in the entire lawn, use liquid Lilly Miller® Moss Out!™ For Lawns in the economical concentrate or convenient Hose 'n Go® bottle. Follow label directions.

DIRECTIONS FOR USE (Version UGLF)

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only. Not for use indoors.

Optional marketing statements: Moss threatens to take over lawns during the warm, rainy periods in spring and fall, but it will grow all year 'round in shady areas. THIS PRODUCT kills the moss quickly and completely with 10% iron. We carefully blend THIS PRODUCT to give your lawn all the nitrogen university experts say it needs. We have blended rich, natural plant food with traditional ingredients to provide nitrogen from four different sources. Some of the nitrogen goes to work right away and some works slowly over time. Your lawn looks great and you won't have to feed it again for another two months.

For best results, apply THIS PRODUCT at the normal rate when the lawn is moist. This allows moss-killing granules to stick to the moss. Mow lawn to expose existing moss prior to application. This allows the granules to fall through the grass to the soil, then go to work. Water in to hasten the greening process. For established lawns, apply at the rate of 20 lbs. per 4,000 square feet. This full feeding controls moss in the lawn, leaving it rich, green and thriving.

Captions for illustrations: Apply when the lawn is moist from a light mist from a hose or from a heavy dew. Begin spreading by laying down two strips of lawn food at each end of lawn. Fill in remaining area as shown here. Close the spreader when you stop walking or make turns to avoid uneven coverage. Stopping and starting with the spreader box open will waste lawn food. Overlap previous wheel track slightly, as shown, to avoid gaps in coverage. Water in after application to start the greening process. Do not water so heavily as to wash granules off the moss.

The best defense against moss, weed and disease attack is a thick, vigorous lawn. Promoting the overall vigor of your lawn will help fight against moss, weeds and diseases. THIS PRODUCT contains the three essential nutrients for your lawn:

- * Nitrogen (N) to stimulate lush green growth
- * Phosphorus (P) for early root formation
- * Potash (K) for winter hardiness and root development

One pound of this product is equal to approximately 1-1/2 cups.

SETTING YOUR LAWN SPREADER

THESE SETTINGS ARE A GUIDE. They were determined by landscape professionals using new spreaders. The condition of your spreader, your walking speed, the roughness of the lawn, and even the humidity can affect how fast the product comes out. Watch the flow rate. If product appears to be coming out either slower or faster than you are covering the lawn, adjust the setting. Close the spreader when filling, turning or stopping.

IRON WILL STAIN. USE THIS PRODUCT ON LAWNS (AND AROUND FLOWERS AND ORNAMENTAL SHRUBS as directed) ONLY. KEEP THIS PRODUCT OFF SURFACES SUCH AS SIDEWALKS, PATIOS, WOODEN DECKS, DRIVEWAYS AND CLOTHING. Sweep concrete surfaces immediately to prevent staining. If concrete is wet when contact occurs, staining may be impossible to prevent.

SPREADER SETTINGS

| | Settings Heavy Moss 20 lbs. per 4,000 sq. ft. [40 lbs. per 8,000 sq. ft.] | Settings Lighter Moss 20 lbs. per 5,000 sq. ft. [40 lbs. per 10,000 sq. ft.] |
|--|--|---|
| Drop Spreader Models | | |
| Specific settings to be determined. | X | x |
| Rotary Spreader Models | | |
| These spreaders can toss THIS PRODUCT a great distance. Do not allow granules to fall on surfaces that might be stained. | | |
| Specific settings to be determined. | X | x |

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store this product in its original container and keep in a locked storage area 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.

GUARANTEED FERTILIZER ANALYSIS (sample):

Total Nitrogen (N) 20%
 4.2% Ammoniacal Nitrogen
 15.8% Urea Nitrogen
 Available Phosphate (P₂O₅) 2%
 Soluble Potash (K₂O) 5%
 Sulfur (S) 8%
 8.0% Combined Sulfur (S)
 Iron (Fe) 10%
 10.0% Water Soluble Iron (Fe)

Derived from Ammonium Sulfate, Urea, Ammonium Phosphate, Muriate of Potash, Ferrous Sulfate.

Information regarding the contents and levels of metals in this product is available on the internet at <http://www.aapfco.org/metals.htm>.

Optional statement for product containing animal-based fertilizer: PROTECT YOUR PETS: This fertilizer contains animal manures and/or byproducts that may attract dogs or other pets. Consumption of this product may make animals sick. To minimize potential problems: 1) Store away from pets, 2) Thoroughly water into lawn to eliminate large clods or surface exposure of product.

Filled by weight not by volume. Product may settle after packaging.

OUR COMMITMENT TO YOUR SATISFACTION: If you are not happy with the way this product works in your garden, please let us know. We will be happy to replace the product, refund your money, or substitute another Lilly Miller product. Simply send your name, address and proof of purchase to the address shown.


or

If you are not satisfied with the performance of this product, simply send your name, address, and proof of purchase to the address shown and we will be happy to refund your money.

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.

Scotts is a registered trademark of OMS Investments, Inc.

Lilly Miller is a registered trademark and Moss Out is a trademark of

Central Garden & Pet. 

[Lot no. to be added at production]

LILLY MILLER BRANDS

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

