

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



United States
Environmental Protection
Agency

Office of Pesticide Programs

Central Garden and Pet dba Lilly Miller Brands
1340 Treat Boulevard, Suite 650
Walnut Creek, CA 94597

APR 24 2008

AGENT: Registrations by Design, Inc.
118½ East Main Street, Suite 1
Salem, VA 24153-8826

Attention: Rebecca M. Horton

Subject: Lilly Ready-to-Use Moss-Kil
EPA Registration No. 802-553
Notification Dated April 4, 2008

This will acknowledge receipt of your notification to add the phrase "Preservation of Concentrates" to the descriptive text on the front panel of the product label, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your files.

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely

A handwritten signature in cursive script that reads "Martha Terry".

Marshall Swindell
Product Manager (33)
Regulatory Management Branch 1
Antimicrobials Division (7510P)

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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

1. Company/Product Number 802-553	2. EPA Product Manager Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lilly Miller Ready-To-Use Moss-Kil	PM# 33	
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.

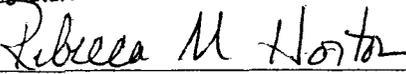
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

NOTIFICATION of: (1) Label Change per PR Notice 2007-4, revised warranty statement & updated company address. 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:					
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input 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 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 pt. 8 fl. oz.		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 4-4-08	

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Registrations by Design, Inc.sm

CERTIFIED MAIL #7007 3020 0001 8201 8449

April 4, 2008

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

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. 802-553, Lilly Miller Ready-to-Use Moss-Kil

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, revised warranty statement, and updated company address.

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 Brand's 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 READY-TO-USE MOSS-KIL

[Additional Brand Names: Lilly Miller Ready-to-Use Moss Out! for Roofs and Structures;
Ready-to-Use Lilly Miller Moss Out! for Roofs and Structures]

Ready-To-Use

Kills Moss Quickly!

On Roofs, Decks, Patios, Walks, Bricks, and Cement

Non-Staining, Non-Corrosive to Galvanized Gutters

ACTIVE INGREDIENT:

Zinc chloride 13.0%

INERT INGREDIENTS 87.0%

Metallic zinc equivalent = 6.2%

Keep out of reach of children

DANGER

See back for additional precautionary statements.

NET CONTENTS 1 PT. 8 FL. OZ. (709 ml)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed or inhaled. Do not get in eyes or on clothing. Avoid breathing spray mist. Wear goggles. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse. Do not allow persons or pets in treated areas until sprays have dried.

FIRST AID

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 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: 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.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate gastric lavage.

ENVIRONMENTAL HAZARDS:

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters.

DIRECTIONS FOR USE:

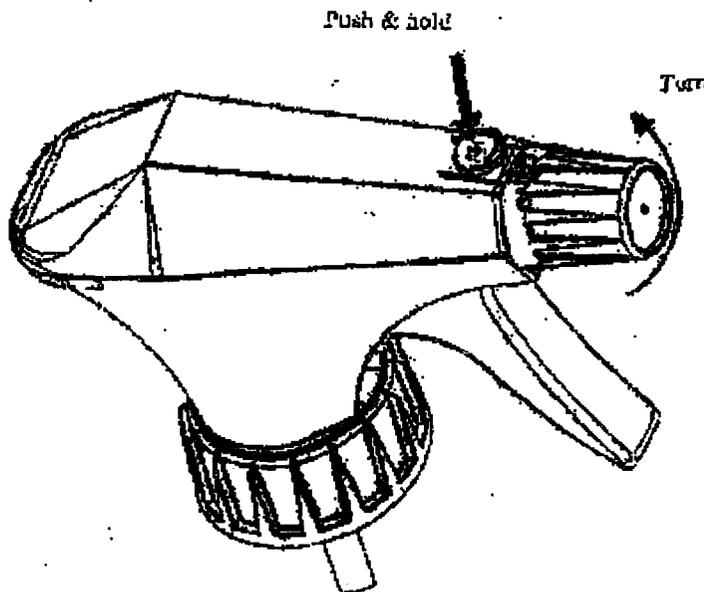
It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only.

SHAKE WELL BEFORE USING - READ ENTIRE LABEL. USE ONLY AS DIRECTED. OBSERVE ALL PRECAUTIONS.

For best results, apply READY-TO-USE MOSS-KIL just prior to the time when fall rains begin or in early spring. Moss growth can occur in nearly any location where dampness persists. Such areas include decks, steps, patios and fences. Because moisture is essential, most moss growth appears during the fall; some occurs in the winter and spring. Very little moss forms in summertime. Controlling moss may add months or years of service to decks, fences, steps and such areas, and can keep walkways and steps from becoming slippery and dangerous. Destroying existing moss is done most effectively during times when its growth is most rapid and when rain is not expected for several days.

USE PRECAUTIONS: Avoid drift or runoff onto lawns, bedding plants, shrubs or any desirable plants because injury may result. Do not use in lawns or ornamental beds. Do not use on copper gutters, downspouts or fixtures, windows or skylights.

To open, press tab in and hold down while turning nozzle. To close, turn nozzle back until tab locks into position.



USE ON ROOFS, DECKS, STEPS, PATIOS, WALKS, FENCE POSTS AND OTHER OUTDOOR STRUCTURES MADE OF COMPOSITION SHINGLES, WOOD, GRAVEL, BRICK AND UNPAINTED CEMENT – Adjust nozzle to medium or coarse spray. Hold nozzle six to ten inches from surface and spray to thoroughly wet area. Avoid drift and runoff, especially if lawn or any desirable plants are nearby. For heavy moss, dampen, or spray when moss is damp to avoid runoff and assure thorough coverage. Apply when the air is still and when no rain is expected for 24 hours.

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.

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