



RECEIVED MAY 15 2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Rebecca M Horton, Agent for
Lilly Miller Brands
Registration by Design, Inc
118 ½ East Main Street, Suite 1
Salem, VA 24153—3805

MAY 2 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 April 4, 2008 for:

EPA Registration 802-565 "Lilly Miller House'n Go Weed & Grass Preventer"

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 identifying 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 blue ink, appearing to read "Linda Arrington".

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

LILLY MILLER HOSE 'N GO WEED & GRASS PREVENTER

[Additional Brand Name: Lilly Miller Weed & Grass Preventer with Surflan]

Stops weeds and grass from growing in annual and perennial flower beds, groundcovers and ornamental beds.

Keeps new weeds and grass from growing in annual and perennial flower beds, groundcovers and ornamental beds.

Contains SURFLAN Herbicide

Just attach to a garden hose and spray

Covers 1,000 square feet

ACTIVE INGREDIENT:

Oryzalin (3,5-dinitro-N4,N4-dipropylsulfanilamide) 2.84%

INERT INGREDIENTS 97.16%

SURFLAN is a trademark of _____.

Keep out of reach of children

CAUTION

See side panel for additional cautions and First Aid.

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

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Harmful if inhaled or absorbed through the skin. Avoid breathing spray mist, ingestion and contact with eyes, skin, or clothing.

Wash thoroughly with soap and water after handling. Wear a long-sleeved shirt, long pants, shoes and chemical resistant gloves when applying or mixing this product.

Remove contaminated clothing and wash before reuse. Keep all persons, children and pets out of treated area 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

This pesticide is toxic to fish. Do not apply this product 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. Cover or incorporate spills.

DIRECTIONS FOR USE (Version A)

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

THIS PRODUCT prevents many weeds and grasses from growing in established ornamental beds, gravel walkways, driveways and around buildings. THIS PRODUCT can be sprayed onto the soil surface or over the tops of ornamentals and ground covers.

THIS PRODUCT will control the following weeds and grasses:

Barley, little	Oat, wild
Barnyardgrass (Watergrass)	Oxalis stricta
Bittercress	(Yellow woodsorrel)
Bluegrass, annual	Panicum, fall
Brachiaria (Signalgrass)	(Spreading panicgrass)
Browntop panicum	Panicum, Texas
Carpetweed	(Buffalograss)
Chickweed, common	(Coloradograss)
Crabgrasses	Pigweeds
(Large crabgrass)	(Carelessweed)
(Smooth crabgrass)	(Prostrate pigweed)
Crowfootgrass	(Redroot)
Cupgrass, Southwestern	(Rough pigweed)
Fiddleneck, coast	(Smooth pigweed)
Filaree, redstem	(Spring pigweed)
Filaree, whitestem	(Tumble pigweed)
Foxtails	Puncturevine
(Bottlegrass)	Purslane, common
(Bristlegrass)	Pusley, Florida
(Giant foxtail)	(Florida purslane)
(Green foxtail)	(Mexican clover)
(Pigeongrass)	(Pusley)
(Robust foxtail)	Rocket, London
(Yellow foxtail)	Rock purslane, desert
Goosegrass	Ryegrass, Italian
(Silver crabgrass)	Sandbur, field
Groundsel, common	Shepherdspurse

Henbit
Johnsongrass
(Seedling only)
Jungle Rice
Knotweed, prostrate
Lambsquarters
Lovegrass, Mexican
Lovegrass, orcutt

Sprangletop, red
Spurge, prostrate
Texas Panicum
(Buffalograss)
(Coloradograss)
Witchgrass
Woodsorrel, yellow
(Oxalis stricta)

THIS PRODUCT can be used around the following annual and perennial flowers, groundcovers, trees, shrubs, bulbs and ornamentals:

Abelia, Glossy
Andromeda, Japanese
Arborvitae, Oriental
Azalea
Bird-of-Paradise
Boxwood, Common
Brushcherry
Camellia
Chrysanthemum
Cotoneaster dammeri
Daffodil
Daisy, Tailing African
Douglas Fir
Escallonia
Eucalyptus, Narrow-Leaved
Euonymus
Fatshedera
Fir, Grand
Fir, White
Firethorn
Forsythia, Border
Gardenia
Gazania, Treasureflower
Geranium
Ginkgo
Gladiolus
Golden-Rain Tree
Heavenly Bamboo
Holly, English
Honeysuckle, Japanese
Hyacinth
Ice Plant
Impatiens

Iris, bulbous
Ivy, English
Juniper
Laurel, English
Laurel, Mountain
Lilac, Common
Manzanita, Stanford
Maple
Marigold
Narcissus
Oak
Oleander
Oregon Grape
Pansy, Garden
Periwinkle, Dwarf
Petunia
Photinia
Pieris japonica
Pine
Privet, Glossy
Privet, Golden
Privet, Japanese
Redcedar, Western
Rhododendron
Rose
Spruce, Colorado Blue
Spruce, Norway
Starjasmine, Chinese
Sweetgum, American
Tulip
Viburnum, Sandankwa
Xylosma
Zinnia, Common

HOW TO APPLY: THIS PRODUCT will not kill existing weeds. Before applying THIS PRODUCT, remove any weeds, grass, fallen leaves and other plant debris. Rake area smooth, if necessary. THIS PRODUCT will cover 1,000 square feet of established annual and perennial flower beds, ground covers, ornamental beds, gravel walkways, driveways, etc.

Over application can cause damage to shrubs, trees and groundcovers. Do not apply to steep areas where runoff is possible. Do not use on dichondra or turfgrasses. Do not plant grass or shallow-rooted flowers and groundcovers (less than 4") in treated areas for 4 months following treatment. To prevent weed growth from occurring, do not disturb surface after treatment. Do not apply to or around vegetables. Respray every 4 months to keep the area weed free.

To prevent staining avoid application to fences, sidewalks, patios, cement blocks, stucco or painted surfaces. If these surfaces are accidentally sprayed, hose off with water. May stain clothing.

SHAKE WELL BEFORE USING.

[INSERT SPECIFIC DIRECTION FOR USE OF ATTACHED HOSE-END SPRAY APPLICATOR; VARIES DEPENDING ON BOTTLE TYPE AND SIZE]

1. Connect spray nozzle to garden hose. Be sure valve is in "off" position. 2. Remove bottle cap and screw bottle onto nozzle. Turn on water. 3. Turn valve to "on" position to start flow of water. Use valve to shut off flow of water at any time. 4. Spray directly over area requiring application evenly and uniformly. 5. After application, turn on sprinkler or irrigation system for about 1 hour. Do not allow material to run off treated area.

DIRECTIONS FOR USE (Version B)

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

What is this product? And what will it do?

- THIS PRODUCT is the easy way to have beautiful, weed-free flower beds all year round. Once you've cleaned out the weeds and grass already growing around your flowers, shrubs and trees, THIS PRODUCT keeps them from coming back. And it lasts up to 4 months!
- Now you can plant your zinnias or pansies or marigolds, spray with THIS PRODUCT, then sit back and watch them grow. No more hands-and-knees weeding for you.
- This easy-to-use container attaches right to your garden shoe, so there's no mixing. Use only what you need, then put it away for next time.

How do I use this product?

- When to use: For established beds and borders, you can use THIS PRODUCT anytime throughout the growing season. But, the area must be free of weeds and grass, before you spray. Respray every 4 months to keep the area free of weeds.
- Newly-planted flowers, shrubs or trees have to settle in. Wait 1 to 2 weeks after planting before using THIS PRODUCT. After that, respray every 4 months to keep the area weed free.
- What to do: Shake well before using. THIS PRODUCT won't work on the weeds and grasses already growing. So, you have to remove them before you get started. Spray to kill them or pull them out by hand.
- When you are finished preparing the area, you can spray.

How to use this sprayer:

[INSERT SPECIFIC DIRECTION FOR USE OF ATTACHED HOSE-END SPRAY APPLICATOR; VARIES DEPENDING ON BOTTLE TYPE AND SIZE]

Spray THIS PRODUCT evenly over the soil and the plants (yes, right over the top of the leaves), but avoid areas where bulbs are planted. The orange color lets you see where you have sprayed and prevents skips or overlaps. This whole bottle will cover 1,000 square feet (20' x 50'). One quarter of the bottle (see markings on the side) will cover 250 sq. ft. (10' x 25' or a border 5' x 50'). Water the area with clear water for about ½ hour after treating.

For barkdust areas or other mulch covers: Wet the area well with clear water before spraying with THIS PRODUCT. Water again afterwards.

What not to do: Do not use THIS PRODUCT around vegetables, fruits or other edible plants. Do not use on lawns or dichondra. Do not treat steep areas, where product may move downhill. Do not use over newly planted ice plant. Wait several weeks, until ice plant is well rooted, before applying THIS PRODUCT.

Do not use this product around these plants; they will be damaged: Douglas Fir, Techny arborvitae, eastern (Canada) hemlock, or Slender deutzia.

Once an area is treated, do not dig in or otherwise disturb the soil surface. Weeds may pop up. Do not plant seeds, seedlings or other shallow rooted plants in a treated area until 4 months have passed. They may be damaged.

THIS PRODUCT is orange in color. It will stain paint, stucco, wood, cement, brick, clothing and many other surfaces around the house. Do not allow this product to contact any of these.

What will I see?

- You will see beautiful flower beds with no weeds to spoil the view. You will see clean, tidy shrub beds, and weeds will no longer spring up around trees in the yard.

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.

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



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 802-565	2. EPA Product Manager Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lilly Miller Hose 'n Go Weed & Grass Preventer	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 & 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:				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				Other (Specify) _____	
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 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 APR - 4 2008	

COPY

Registrations
by Design, Inc.sm

CERTIFIED MAIL #7007 3020 0001 8201 8449

April 4, 2008

118 1/2 East Main Street
Suite 1
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. 802-565, Lilly Miller Hose 'n Go Weed & Grass Preventer

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

MEMBER
CPDA