



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 1/2 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

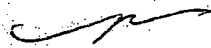
The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

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.

a/q

Sincerely,



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

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. 802-596, Lilly Miller Ready-to-Use Blackberry & Brush Killer

Attn: Linda Arrington
Notifications & Minor Formulations Team Leader

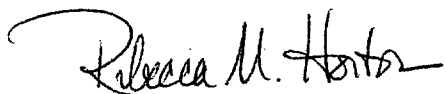
On behalf of Lilly Miller Brands of Walnut Creek, California, enclosed is notification of administrative label revisions, including revision to the Storage & Disposal text for compliance with PR Notice 2007-4.

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.

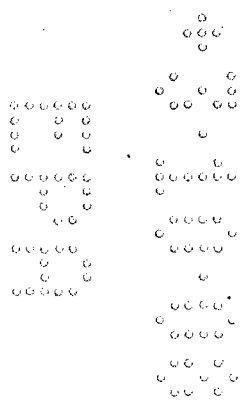
Best regards,



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

BMH/sjh

Enclosures



5/9



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 802-596	2. EPA Product Manager Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lilly Miller Ready-To-Use Blackberry & Brush-Killer	PM# 25	
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: NOTIFICATION EPA Reg. No. _____ MAR 26 2008 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
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	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 gallon		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 Paper glued 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
2. Signature <i>Rebecca M. Horton</i>		6. Date Application Received (Stamped)
3. Title Consultant/Agent for Lilly Miller Brands		
4. Typed Name Rebecca M. Horton	5. Date MAR - 7 2008	

MAR 26 2008

**LILLY MILLER®
READY-TO-USE BLACKBERRY & BRUSH KILLER**

[Additional Brand Name: Lilly Miller® Ready-to-Use Brush, Blackberry & Vine Killer]

For use on woody plants in outdoor areas around the home

No Mixing Required

Kills roots and (&) all – No Regrowth

Kills even the toughest brush & vines

Kills blackberry, poison oak, poison ivy, horsetail rush, kudzu, scotch broom, mesquite, sumac and many other woody plants

ACTIVE INGREDIENT:

Triclopyr (3,5,6-trichloro-2-pyridinyloxyacetic acid),
triethylamine salt* 0.75%

INERT INGREDIENTS 99.25%

*Equivalent to 0.53% acid.

Keep out of reach of children

CAUTION

See back/side/other panel(s) for additional Precautionary Statements and First Aid

NET CONTENTS 1 GALLON (3.7 l)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes eye irritation. Harmful if swallowed, inhaled, or absorbed through the skin. Avoid contact with eyes, skin or clothing during and after application. Avoid breathing spray mist. When applying this product, wear a long-sleeved shirt, long pants, shoes and socks, and waterproof gloves. Wash thoroughly with soap and water after handling. Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application. Do not allow people or pets onto treated areas until sprays have dried.

USER SAFETY RECOMMENDATIONS

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should remove protective clothing and equipment immediately after handling this product. Wash the outside of gloves before removing.

Keep and wash protective clothing and equipment separately from other laundry.

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 directly to water. Do not contaminate water when disposing of equipment washwaters and rinsate. This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

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 use indoors.

WHAT IS THIS PRODUCT? AND WHAT WILL IT DO?

Ready-to-Use Blackberry & Brush Killer is the no-mix way to kill tough, woody plants and brush, such as blackberry vines, poison oak, Scotch broom, plus many others. This product can be used in many places around your yard, such as along fences and driveways, under decks, around patios and buildings, or in driveways and parking areas. The area can be planted again just a few weeks after spraying.

Use Ready-to-Use Blackberry & Brush Killer to kill all these plants:

- | | | |
|------------------------|--------------|-----------|
| Blackberry | Poison Ivy | Willow |
| Horsetail Rush (Field) | Poison Oak | Wild Rose |
| Kudzu | Sumac | |
| Mesquite | Scotch Broom | |

Kill these plants, too:

- | | | |
|------------------|-------------|-----------------|
| Arrowwood | Cottonwood | Raspberry |
| Blackgum | Douglas Fir | Salmonberry |
| California Rose | Dogwood | Sassafras |
| Chinquapin | Elderberry | Sweetbay |
| Hornbeam | Elm | Magnolia |
| Tanoak | Hawthorn | Sweetgum |
| Virginia Creeper | Hazel | Sycamore |
| Alder | Honeysuckle | Thimbleberry |
| Ash | Locust | Trumpet Creeper |
| Aspen | Madrone | Tulip Poplar |
| Beech | Maples | Vine Maple |
| Birch | Mimosa | Western Hemlock |
| Box Elder | Mulberry | Wild Grape |
| Cascara | Oaks | Winged Elm |
| Ceanothus | Persimmon | |
| Cherry | Pine | |
| Choke Cherry | Poplar | |

HOW DO I USE THIS PRODUCT?

When To Use: Spray the brush or vines in Spring, after leaves are fully open, or in Fall, before the leaves begin to change color. During dry Summer weather, Ready-to-Use Blackberry & Brush Killer may work very slowly. For best results, spray brush a few days after a good rain, or after the area has been watered.

What To Do: It's so easy! There is no mixing with Ready-to-Use Blackberry & Brush Killer. Just shake, then spray.

Adjust the spray nozzle to give small droplets without a fine mist. Spray when the air is calm and there is no wind. Hold the sprayer about two feet from the plant and aim the nozzle at leaves and stems. Wet the brush completely with the spray. This product works through the leaves and bark; there's no need to wet the soil.

After leaves have dropped off (4 - 6 weeks after spraying), cut down the brush and dispose of it. Once the brush is gone, the area may be replanted.

What Not To Do: Do not spray when it is windy. 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 spray when rain is expected. Do not allow children or pets to go into the treated area until the spray has dried. Do not water the area for 24 hours after spraying. Do not use this product around vegetables, fruits or other plants you eat. Do not use this product when temperatures are above 85 degrees F.

WHAT WILL I SEE?

In one to six weeks the leaves will begin to wilt, turn brown and drop off.

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: 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 of this material when such use and/or handling is contrary to label instructions.

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.

Lilly Miller is a registered 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
Printed in U.S.A.
Product of Canada