



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mrs. Rebecca M. Horton  
Consultant/Agent for  
Lilly Miller Brands  
Registrations by Design, Inc.  
118 ½ East Main Street - Suite 1  
Salem, VA 24153-3805

APR 4 2008

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Mrs. Horton:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 29, 2007 for:

**EPA Registration 909-2**

**Cooke Quick Action Gopher Mix**

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 identifying 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 Joyce Edwards of my staff at 703-308-5479.

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

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 909-2	2. EPA Product Manager Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Cooke Quick Action Gopher Mix	PM# 7	
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 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		<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 lb, 4 lbs and 10 lbs		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
<b>Certification</b> 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 10 2008	

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95



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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### Section - III

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* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container	<input checked="" type="checkbox"/> Glass
					<input checked="" type="checkbox"/> Paper
					Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 lb, 4 lbs and 10 lbs		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	
<b>Certification</b> 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 10 2008		

**COOKE QUICK ACTION GOPHER MIX**

**FOR CONTROL OF POCKET GOPHERS  
READY-TO-USE  
POISON GRAINS**

**ACTIVE INGREDIENT:**

Strychnine alkaloid . . . . . 0.50%

**INERT INGREDIENTS . . . . . 99.50%**

Keep out of reach of children

**POISON**

**[SKULL AND CROSSBONES]**

**DANGER**

**FIRST AID**

**IF SWALLOWED:** CALL A PHYSICIAN OR POISON CONTROL CENTER IMMEDIATELY. If less than ten (10) minutes have passed since the poison was taken, give 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Repeat until vomit fluid is clear. Have patient lie down in a quiet, darkened room and keep him warm and quiet. If person is unconscious, do not give anything by mouth and do not induce vomiting.

**IF INHALED:** Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

**IF IN EYES:** Hold eyelids open and flush with steady, gentle stream of water for 15 minutes. Get medical attention.

**IF ON SKIN:** Wash with plenty of soap and water. Get medical attention.

**NOTE TO PHYSICIAN**

Administer 100% Oxygen by positive pressure to provide as much pulmonary gas exchange as possible, despite seizures. Administer ANTICONVULSANT DRUGS intravenously to control convulsions.

**NOTICE:** It may be difficult or impossible to stop the seizure activity without stopping respiration. Be prepared to maintain pulmonary ventilation mechanically. Tracheotomy may be necessary if seizures are prolonged.

See side panel for additional precautionary statements.

NET WT. \_\_\_\_\_

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

**DANGER: Convulsive Poison!** Fatal if swallowed or inhaled. Harmful if absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Do not breathe dust. Do not apply this product in a way that will contact any person or pet. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash clothing before reuse.

**PERSONAL PROTECTIVE EQUIPMENT (PPE) [Pkg. ≤ 5 LB]**

Applicators and other handlers must wear:

- long-sleeved shirt and long pants
- cotton gloves
- shoes plus socks

Keep and wash PPE separately from other laundry.

**PERSONAL PROTECTIVE EQUIPMENT (PPE) [Pkg. > 5 LB]**

Applicators and other handlers must wear:

- long-sleeved shirt and long pants
- cotton gloves
- shoes plus socks
- dust/mist filtering respirator (NIOSH/MSHA approval number prefix TC-21C), or a NIOSH approved respirator with an N, P, R, or HE filter.

Follow manufacturer's instructions for cleaning and maintaining PPE. If there are no such instructions, use detergent and hot water. Keep and wash PPE separately from other laundry.

**USER SAFETY RECOMMENDATIONS**

Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

### ENVIRONMENTAL HAZARDS

This product is toxic to fish, birds, and other wildlife. Do not allow bait to be exposed on soil surface. 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 apply directly to food or feed crops. Do not contaminate water when disposing of equipment washwaters.

### ENDANGERED SPECIES CONSIDERATIONS

NOTICE: The killing of a member of an endangered species during strychnine baiting operations may result in a fine under the Endangered Species Act. Before baiting, the user is advised to contact the Regional U.S. Fish and Wildlife Service (Endangered Species Specialist) or the local Fish and Game Office for specific information on endangered species. Strychnine baits should not be used in the geographic ranges of the following species except under programs and procedures approved by the U.S. EPA: San Joaquin kit fox, Morro Bay kangaroo rat, salt marsh harvest mouse, gray wolf and grizzly bear.

### DIRECTIONS FOR USE

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

### USE RESTRICTIONS

This product may only be used to control pocket gophers (Geomys spp. and Thomomys spp.) in underground applications in outdoor residential areas, including lawns. Bait must be manually applied directly into pocket gophers' underground burrow systems. Do not apply this product by use of a mechanical burrow builder. Do not apply this bait on or above the ground surface. Immediately pick up any bait that spills on the ground. Keep pets and other people out of the area during application.

### BAITING

Burrowing pocket gophers throw out low, fan shaped mounds on either side of their underground tunnel. These lateral tunnels coming to the surface are on the flat side of the fan and are plugged with soil. Remove burrow plug from the flat side of the burrow fan. Use long-handled spoon and insert 1 teaspoon of bait into main runway system. Close tunnel with soil. Do not permit soil to cover bait. Depending upon pocket gopher population levels, one-quarter (1/4) cup applied by hand will treat 4500 to 35000 square feet.

**STORAGE AND DISPOSAL [Pkg. < 10 LB]**

**Pesticide Storage:** Store only in original container, in a dry place inaccessible to children, pets, and domestic animals.

**Pesticide Disposal:** Recover any spilled product, securely wrap it in several layers of newspaper, and discard in trash. **If partially filled:** Call your local solid waste agency for disposal instructions. Do not pour any unused product down any indoor or outdoor drain.

**Container Disposal: If empty:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or, discard container in trash.

**STORAGE AND DISPOSAL [Pkg. ≥ 10 LB]**

Do not contaminate water, food, or feed by storage and disposal.

**Pesticide Storage:** Store only in original labeled container in a cool, dry area inaccessible to children, pets, and domestic animals.

**Pesticide Disposal: If partially filled:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spilled bait, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**Container Disposal: If empty:** Nonrefillable container. Do not reuse or refill this container. Triple-rinse container. Then puncture container and offer it for recycling, if available, or disposal in a sanitary landfill. If allowed by State and local authorities, container may be disposed of by burning. If container is burned, stay out of smoke.

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

NOTICE: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, Seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, Seller shall have no liability for consequential damages.

[Lot no. to be added at production]

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

0 81817 46395 0

# Registrations by Design, Inc.<sup>SM</sup>

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Salem, VA 24153-3805  
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fax 540.375.8827

**CERTIFIED MAIL #7007 3020 0001 8201 7886**  
March 10, 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. 909-2, Cooke Quick Action Gopher Mix

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.

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

