



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 33116-2 "Lilly Miller Moss Out"

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 black ink, appearing to read "Linda", is located below the "Sincerely," text.

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

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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 8449

April 4, 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. 33116-2, Lilly Miller Moss Out

Attn: Linda Arrington
Notifications & Minor Formulations Team Leader

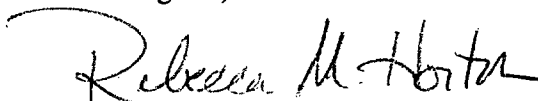
On behalf of Lilly Miller Brands of Walnut Creek, California, enclosed is notification of administrative label revisions, including revision to the Storage & Disposal text for compliance with PR Notice 2007-4, revised warranty statement, and updated company address.

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



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 33116-2	2. EPA Product Manager Joanne I Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lilly Miller Moss Out	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 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 <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 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 <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		

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LILLY MILLER® MOSS OUT

[Additional Brand Name: Lilly Miller Moss Out! Spot Treater for Lawns & Flower Beds]

Ready-To-Use, No Mixing
Covers up to 100 square feet
Kills Moss Quickly! Works In Hours
Liquid iron gives superior results
Kills patches of unwanted moss

ACTIVE INGREDIENT:

*Ferric Sulfate, anhydrous 0.875%

INERT INGREDIENTS 99.125%

*Equivalent to 0.24% Iron as Metallic

Keep out of reach of children

DANGER

See back panel for additional precautionary statements.

NET CONTENTS 1 GALLON (3.7 l)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Do not get in eyes, on skin, or on clothing. Wear safety glasses. Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing spray mist. Remove contaminated clothing and wash clothing before reuse. Wash thoroughly with soap and water after handling.

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 eye. Call a poison control center or doctor for treatment advice.

IF SWALLOWED: Call poison 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 the poison control center or doctor. Do not give anything by mouth to an unconscious person.

IF ON SKIN OR 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 INHALED: Remove person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by 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 the use of gastric lavage.

ENVIRONMENTAL HAZARDS: This product is toxic to fish. Do not apply directly to water. Do not apply where runoff is likely to occur. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water by cleaning of equipment or disposal of wastes.

DIRECTIONS FOR USE

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

WHAT IS THIS PRODUCT? AND WHAT WILL IT DO?

MOSS OUT is the quick, easy, and convenient way to kill small patches of unwanted moss in lawns and flower beds. This product is ready-to-use and requires no mixing. This liquid iron formulation provides thorough coverage of the moss for superior results. The sturdy container, with its attached sprayer and easy-grip handle, quickly and easily applies just the amount needed, then safely stores the remainder for later use. No need to drag out the hose or separate sprayer to treat small patches of unwanted moss!

Moss growing in lawns competes with the turf, causing the grass to thin-out. Moss growing in flower beds is unsightly and can harbor insects. Shaded or poorly-drained acidic areas encourage moss growth. Kill unwelcome moss, quickly and easily, with MOSS OUT.

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.

HOW DO I USE THIS PRODUCT?

When to use: Use this product anytime the moss is actively growing. Moss grows most vigorously during rainy periods in spring and fall, but will grow all year round in some shady areas. Spray whenever and as often as needed to keep moss out of lawns and flower beds.

What to do: When spraying moss in the lawn, mow the grass a bit shorter than usual to expose more of the moss. To get the most complete kill of the moss or when the moss is very thick, first rake out as much as possible, using a thatching rake or lawn rake. When spraying moss in flower beds, apply when the soil is moist (from rainfall or irrigation). To improve the appearance of lawn and flower beds, gently rake out the dead moss a few days after treatment. Since grass may be slow to fill in bare spots, reseed with a quality Lilly Miller® grass seed. To reduce soil acidity in lawns, which may contribute to moss growth, apply Lilly Miller® Super Sweet™ or Lilly Miller® Soil Sweet™ lime according to label directions. Do not apply lime around acid-loving shrubs or flowers.

What not to do: This product is for use on lawns and in flower beds only. Do not let this product contact any other surfaces. It will stain them. Do not allow this product to contact galvanized metal. This product may burn foliage if applied directly to flowers or ornamental shrubs. If contact occurs, use a hose to wash this product off the plants right away. Do not try to cover more area than 100 sq. ft. with this container; it will not be effective. Do not allow adults, children or pets onto the sprayed area until it has dried.

HOW DO I USE THIS SPRAYER?

Shake well before using. The contents of this bottle will spot treat 100 sq. ft. of moss patches. Remove the child-resistant closure and save it for resealing the container when you are finished. Insert the sprayer hose and cap assembly. Follow directions given with the sprayer when priming and rinsing the sprayer. Adjust the spray nozzle to give small droplets without a fine mist. Spot spray patches of moss evenly and slowly, allowing the spray to thoroughly penetrate the moss. After you are finished spraying unwanted moss, reseal the container with the child-resistant closure.

WHAT WILL I SEE?

The treated moss will turn black within hours, and die within a day or two.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store this product in its original container and keep in a secure 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

Packaged in Canada

Product of U.S.A.