

Message Confirmation Report

MAY-10-2006 01:32 PM WED

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Start Time : MAY-10-2006 01:31PM WED
Elapsed Time : 00' 40"
Mode : STD ECM
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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

06 MAY 10 PM 2:12
ENVIRONMENTAL PROTECTION
AGENCY REGION VII
REGIONAL HEARING CLERK

IN THE MATTER OF)
)
Blue Valley Laboratories, Inc.) Docket No. FIFRA-07-2005-0370
)
Respondent) CONSENT AGREEMENT AND
) FINAL ORDER
)

PRELIMINARY STATEMENT

This proceeding for the assessment of a civil penalty was initiated on or about September 15, 2005, pursuant to Section 14 of the Federal Insecticide, Fungicide, and Rodenticide Act (hereinafter called FIFRA), 7 U.S.C. § 136j, when the United States Environmental Protection Agency (hereinafter referred to as "Complainant" or "EPA") issued a "Complaint and Notice of Opportunity for Hearing" to Blue Valley Laboratories, Inc. (hereinafter referred to as "Respondent").

The Complaint charged Respondent with nineteen counts of violating § 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A).

Subsequently, Complainant and Respondent entered into negotiations in an attempt to resolve the Complaint. The Consent Agreement and Final Order (CAFO) set forth herein below is the result of these negotiations and represents settlement of this Complaint.

CONSENT AGREEMENT

It is hereby agreed, and accepted by Respondent that:

1. This Consent Agreement and Final order is being entered into by the parties in full settlement of, and release from all FIFRA civil penalties that might have attached as a result of