



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Ref: 8ENF-AT-P

**SENT BY ELECTRONIC MAIL**  
**DELIVERY RECEIPT REQUESTED**

July 28, 2020  
10:19 AM

From: David Cobb  
Section Chief, Toxics and Pesticides Enforcement Section  
Enforcement and Compliance Assurance Division

Received by  
EPA Region VIII  
Hearing Clerk

To: U.S. Department of Homeland Security  
Bureau of Customs and Border Protection  
Port of Pembina, North Dakota

Subject: Requested action to be taken regarding the Genics Cub 20 paste: shipment entry number  
SCS-09220866 FIFRA-08-2020-0047

By this memorandum, the U.S. Environmental Protection Agency, Region 8, is informing the Bureau of Customs and Border Protection of the U.S. Department of Homeland Security that the Genics Cub 20 paste in the import shipment described below should be **Denied Entry-Refused Delivery** into the United States pursuant to the authority of section 17(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136o(c), and the implementing regulations at 19 C.F.R. section 12.114. On June 16, 2020, the Customs and Border Patrol unit chief in Pembina, North Dakota, was informed by the EPA that it would deny entry of this shipment since the required Arrival of Pesticides and Devices (Notice of Arrival), EPA Form 3540-1 was not submitted. The entry was marked "Hold Intact," "Refused" and "Re-Export".

The following information pertains to the shipment of the Genics Cub 20 paste:

- The broker is UPS Supply Chain Solutions, Pembina, North Dakota.
- The consignee is Express Logistics, 1595 Erie Street, North Kansas City, Missouri 64116-3804.
- The importer is Genics, Inc. 27717 Acheson Road, Acheson, Alberta T7X6B1, Canada.
- The contact for the broker is Sam Diaz, [SAM.DIAZ@GENICSINC.COM](mailto:SAM.DIAZ@GENICSINC.COM).
- The airway bill number is FTEW00010194.
- The ship date was June 15, 2020.
- The product is Genics Cub 20 paste.
- The port of entry is Pembina, North Dakota 3401.
- The country of origin is Canada.

The shipment was in violation of FIFRA section 12(a)(2)(N), a registrant, wholesaler, dealer, retailer, or other distributor failed to file reports required by the Act. This product, Genics Cub 20 paste, is a

registered pesticide, EPA Reg. No. 71653-6. Per 19 C.F.R. section 12.114 the required Notice of Arrival of Pesticides and Devices (Notice of Arrival), EPA Form 3540-1 was not submitted either electronically or via the CBP-authorized electronic data interchange system. Therefore, this product cannot be allowed entry into the United States.

Please contact Christine Tokarz, the import enforcement coordinator, by phone at (303) 312-6147 or by email at [tokarz.christine@epa.gov](mailto:tokarz.christine@epa.gov) if you have any questions concerning this matter.