



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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December 28, 2020

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Received by

EPA Region VIII

Hearing Clerk

Ref: 8ENF-AT-P

SENT VIA ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED

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

To: U.S. Department of Homeland Security
Bureau of Customs and Border Protection
Salt Lake City, Utah 3303

Subject: Requested action to be taken regarding the All Purpose Cleaner in shipment with entry number AF0-00896619 FIFRA-08-2021-0017

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 All Purpose Cleaner 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. The entry was marked "Hold Intact," "Refused," and "Re-Export" in ACE by the EPA on December 21, 2020.

The following information pertains to the shipment of the All Purpose Cleaner:

- The importer is Murchison-Hume LLC, 13036 Chandler Boulevard, Sherman Oaks, California 91401-6116.
- The manufacturer is Zedpac Australia Party Limited, 24-26 Smeaton Avenue, Victoria 31750, Dandenong South Australia.
- The broker is Rige & Company Inc.
- The release date was December 4, 2020.
- The quantity is 1,000 bottles, 1,102 pounds.
- The port of entry is Salt Lake City, Utah, 3303.
- The country of origin is Australia.

The shipment that arrived at the border for import is in violation of FIFRA section 12(a)(1)(A) (7 U.S.C. § 136j(a)(1)(A)), which states that it is unlawful for any person to distribute or sell any pesticide that is not registered under section 3 of FIFRA (7 U.S.C. § 136a). Under FIFRA, a pesticide is any substance (or mixture of substances) intended for a pesticidal purpose, i.e., use for the purpose

of preventing, destroying, repelling, or mitigating any pest or use as a plant regulator, defoliant, or desiccant. (See 40 C.F.R. § 152.15.)

The product that arrived for import All Purpose Cleaner has the following pesticide claims in its advertising: “Our natural and effective all-purpose cleaner is strong enough to tackle everyday germs, surface stains and other pesky nasties”. Therefore, it is an unregistered pesticide and cannot be allowed entry into the United States.

The Agency hereby notifies U.S. Customs and Border Protection that this merchandise has been refused admission and recommends that this merchandise be re-exported or destroyed within 90 calendar days from the date of this Notice. On December 21, 2020, the Customs and Border Patrol unit chief in Salt Lake City, Utah was informed by the EPA that it would deny entry of this shipment.

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