



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
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Ref: 8ENF-AT-TP

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Date: September 24, 2018

To: U.S. Department of Homeland Security  
Bureau of Customs and Border Protection

From: David Cobb  
Unit Chief, Toxics Enforcement Unit  
Office of Enforcement, Compliance and Environmental Justice

Subject: Requested action to be taken regarding the Acticide MV in the shipment with entry number DSV-65197177

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 Acticide MV 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. § 12.114. An electronic alternative to the Notice of Arrival was filed in the Automated Commercial Environment in accordance with 19 C.F.R. § 12.112. The shipment was inspected at Denver International Airport on September 24, 2018.

The following information pertains to the shipment of Acticide MV:

- The broker is DSV Air and Sea, 3950 Lewiston Street, Suite 103, Aurora, Colorado 80011.
- The importer is TDA Research, Inc, 12345 West 52<sup>nd</sup> Avenue, Wheat Ridge, Colorado 80033.
- The consignee is TDA Research, Inc. 4663 Table Mountain Drive, Golden, Colorado 80403.
- The shipper/manufacturer is Battelle UK Ltd, Langstone Technology Park, Havant, Hampshire P09 ISA.
- The quantity of Acticide MV is 10 grams.
- The entry number is DSV-65197177.
- The port of entry is Denver International Airport.
- The country of origin is Germany.

The shipment that arrived at the border for import contained four separate products: Agnique PG 8107G, Silcolapse 426R, Kelzan AP-AS and Acticide MV. Acticide MV is an EPA registered pesticide, EPA Reg. No. 67071-1.

An imported registered pesticide is required to have the EPA approved product label attached to the product. This shipment did not contain the EPA approved label for Acticide MV. Acticide MV is a pesticide with a high level of toxicity, which may cause irreversible eye damage and is toxic to aquatic plants, fish, and wildlife.

Therefore, this product cannot be allowed entry into the United States.

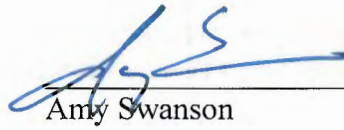
Please contact Christine Tokarz, the import enforcement coordinator, by phone at (303) 312-6147 or by email at [tokarz.christine@epa.gov](mailto:tokarz.christine@epa.gov) if you have any questions concerning this matter.



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David Cobb  
Supervisor  
Technical Enforcement Program  
Office of Enforcement, Compliance and  
Environmental Justice

Sincerely,



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Amy Swanson  
Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance and  
Environmental Justice