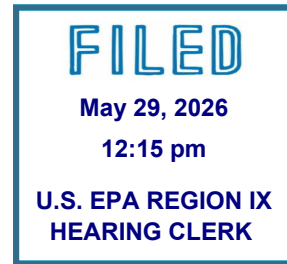


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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
SAN FRANCISCO, CALIFORNIA

In the Matter of:	)	
	)	
Techko Kobot, Inc.	)	Docket No. FIFRA-09-2026-0089
	)	
	)	CONSENT AGREEMENT AND FINAL
	)	ORDER PURSUANT TO
	)	40 C.F.R. §§ 22.13 AND 22.18
<u>Respondent.</u>	)	

I. CONSENT AGREEMENT

The United States Environmental Protection Agency, Region IX (“EPA”), and Techko Kobot, Inc. (“Respondent”) agree to settle this matter and consent to the entry of this Consent Agreement and Final Order (“CAFO”), which simultaneously commences and concludes this matter in accordance with 40 C.F.R. §§ 22.13 and 22.18.

A. AUTHORITY AND PARTIES

1. This is a civil administrative action instituted pursuant to Section 14(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA” or “the Act”), as amended, 7 U.S.C §136/(a)(1), for the assessment of a civil administrative penalty against Respondent for violation of Section 12 of the Act.

2. Complainant is the Manager of the Toxics Section of the Enforcement and Compliance Assurance Division, EPA Region IX, who is duly delegated the authority to bring this action and to sign a consent agreement settling this action.
3. Respondent is a California corporation doing business at 14311 Chambers Road in Tustin, California.

**B. APPLICABLE STATUTORY AND REGULATORY SECTIONS**

4. Section 2(s) of FIFRA, 7 U.S.C. § 136(s), defines a “person” as any individual, partnership, association, corporation, or any organized group of persons whether incorporated or not.
5. Section 2(t) of FIFRA, 7 U.S.C. § 136(t), defines a “pest” as “any insect, rodent, nematode, fungus, weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria, or other living micro-organisms on or in living man or other living animals) which the Administrator declares to be a pest under Section 25(c)(1) of FIFRA, 7 U.S.C. § 136 w(c)(1).”
6. Section 2(u) of FIFRA, 7 U.S.C. § 136(u), defines a “pesticide,” in part, as “any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest.”
7. Section 2(h) of FIFRA, 7 U.S.C. § 136(h), defines a “device” as “any instrument or contrivance (other than a firearm) which is intended for trapping destroying, repelling, or mitigating any pest or any other form of plant or animal life (other than man and other than bacteria, virus, or other microorganism on or in living man or other living animals); but not including equipment used for the application of pesticides when sold separately therefrom.”

8. Section 2(p)(1) of FIFRA, 7 U.S.C. § 136(p)(1), defines the term “label” as “the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers.” Section 2(p)(2)(A) of FIFRA, 7 U.S.C. § 136(p)(2)(A), defines the term “labeling” as “all labels and all other written, printed, or graphic matter...accompanying the pesticide or device at any time...”
9. 40 C.F.R. §152.500(b) states, in pertinent part, that “the Agency has issued a policy statement concerning its authority and activities with respect to devices, which was published in the Federal Register of November 19, 1976 (41 FR 51065)” and “a device is subject to the requirements set forth in...(2) FIFRA section 7 and 40 C.F.R. Part 167, with respect to establishment registration and reporting.”
10. 40 C.F.R. §167.3 states that “device” means “any device or class of devices as defined by the Act and determined by the Administrator pursuant to section 25(c) to be subject to the provisions of section 7 of the Act.”
11. 40 C.F.R. §167.3 states that “establishment” means “any site where a pesticidal product, active ingredient, or device is produced.”
12. 40 C.F.R. §167.3 states that “pesticidal product” means “a pesticide, active ingredient, or device.”
13. 40 C.F.R. §167.3 states that “produce” means, in part, “...to package, repackage, label, relabel, or otherwise change the container of any pesticide or device.”
14. 40 C.F.R. §167.3 states that “producer” means “any person, as defined by the Act, who produces any pesticide, active ingredient, or device (including packaging, repackaging, labeling, and relabeling).”

15. 40 C.F.R. §167.20(a)(1) states that “any establishment where a pesticidal product is produced must be registered with the Agency.”
16. Section 7(a) of FIFRA, 7 U.S.C. § 136e(a), provides that “no person shall produce any pesticide subject to this subchapter or active ingredient used in producing a pesticide subject to this subchapter in any State unless the establishment in which it is produced is registered with the Administrator.”
17. Section 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L), provides that it shall be unlawful for any person who is a producer to violate any of the provisions of section 136e of FIFRA.
18. The Administrator of EPA may assess a civil penalty of up to \$24,885 against any registrant, commercial applicator, wholesaler, dealer, retailer, or other distributor who violates any provision of FIFRA for each offense that occurred after November 2, 2015 and is assessed on or after January 8, 2025. *See* Section 14(a)(1) of FIFRA, 7 U.S.C. § 136l(a)(1); 40 C.F.R. Part 19; and the Civil Monetary Penalty Inflation Adjustment Rule at 90 Fed. Reg. 1375 (January 8, 2025).

### C. ALLEGATIONS

19. At all times relevant to this CAFO, Respondent was a corporation and therefore a "person" as defined in Section 2(s) of FIFRA, 7 U.S.C. § 136(s).
20. At all times relevant to this CAFO, Respondent was a wholesale distributor doing business at 14311 Chambers Road in Tustin, California (the “Facility”).
- 21.. On or about January 11, 2026, Respondent attempted to import one (1) shipment of the product, “UV Glue Board Fly Trap,” into the United States through the Port of Long Beach, California from Vietnam.

22. While awaiting U.S. Customs and Border Patrol (“CBP”) determination about whether the product would be allowed entry into the United States, CBP allowed the shipment of the product, “UV Glue Board Fly Trap,” to be held intact at the Facility.
23. Labeling for the product, “UV Glue Board Fly Trap,” identifies the product as a “bug trap” and states that “[t]his indoor bug trap uses light waves to attract mosquitos, flies, moths, and other flying insects.”
24. Thus, based on its name and labeling, the product, “UV Glue Board Fly Trap,” is a “device” pursuant to Section 2(h) of FIFRA, 7 U.S.C. § 136(h), and 40 C.F.R. §167.3.
25. At the time of the shipment arrival of the device, “UV Glue Board Fly Trap,” on or about January 11, 2026, neither the labels on the carton containing boxes of the device, “UV Glue Board Fly Trap,” nor the device boxes themselves included an EPA establishment number.
26. On or about February 26, 2026, Respondent relabeled the carton and a box of the device, “UV Glue Board Fly Trap,” at the Facility by affixing a sticker with an EPA establishment number on them.
27. On or about February 26, 2026, the Facility was an “establishment” pursuant to 40 C.F.R. §167.3.
28. On or about February 26, 2026, Respondent’s relabeling of the carton and a box of the device, “UV Glue Board Fly Trap,” at the Facility constituted “producing” and Respondent was a “producer” pursuant to 40 C.F.R. §167.3.
29. On or about February 26, 2026, the Facility was not registered with EPA, as required by 40 C.F.R. §167.20(a)(1).

30. Consequently, Respondent's relabeling of the carton and a box of the device, "UV Glue Board Fly Trap," at the Facility on or about February 26, 2026 constitutes one (1) violation of Section 7(a) of FIFRA, 7 U.S.C. § 136e(a) and Section 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L),

D. RESPONDENT'S ADMISSIONS

31. In accordance with 40 C.F.R. § 22.18(b)(2) and for the purpose of this proceeding, Respondent (i) admits that EPA has jurisdiction over the subject matter of this CAFO and over Respondent; (ii) neither admits nor denies the specific factual allegations contained in Section I.C of the CAFO; (iii) consents to any and all conditions specified in this CAFO and to the assessment of the civil administrative penalty under Section I.E of this CAFO; (iv) waives any right to contest the allegations contained in Section I.C of the CAFO; and (v) waives the right to appeal the final order contained in this CAFO. By signing this consent agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the consent agreement.

E. CIVIL ADMINISTRATIVE PENALTY

32. Respondent agrees to the assessment of a penalty in the amount of FOUR THOUSAND, EIGHT HUNDRED AND FORTY-TWO DOLLARS (\$4,842) as final settlement of the civil claims against Respondent arising under the Act as alleged in Section I.C of the CAFO.
33. Respondent shall pay the assessed penalty no later than thirty (30) days from the effective date of this CAFO using any method or combination of appropriate methods provided in

the EPA website at <https://www.epa.gov/financial/makepayment>. For additional instructions see <https://www.epa.gov/financial/additional-instructions-making-payments-epa>. If any clarification regarding a particular method of payment remittance is needed, please contact the EPA Cincinnati Finance Center at 513-487-2092. Payment shall be accompanied by a transmittal letter identifying Respondent, the case name, the case docket number and this CAFO. Concurrent with payment of the penalty, Respondent shall send a PDF copy of the notification that the payment has been made by one of the methods provided, including proof of the date payment was made, and the transmittal letter to the following email addresses:

Regional Hearing Clerk  
U.S. EPA, Region IX  
[r9HearingClerk@epa.gov](mailto:r9HearingClerk@epa.gov)

Savannah Merritt  
Toxics Section  
Enforcement and Compliance Assurance Division  
U.S. EPA, Region IX  
[Merritt.Savannah@epa.gov](mailto:Merritt.Savannah@epa.gov)

34. Payment of the above civil administrative penalty shall not be used by Respondent or any other person as a tax deduction from Respondent's federal, state, or local taxes.
35. If Respondent fails to pay the assessed civil administrative penalty specified in Paragraph 32, then Respondent shall pay to EPA the stipulated penalty of ONE HUNDRED AND FIFTY DOLLARS (\$150) for each day the default continues, in addition to the assessed penalty upon written demand by EPA. In addition, failure to pay the civil administrative penalty by the deadline specified in Paragraph 33 may lead to any or all of the following actions:

- a. The debt being referred to a credit reporting agency, a collection agency, or to the Department of Justice for filing of a collection action in the appropriate United States District Court. 40 C.F.R. §§ 13.13, 13.14, and 13.33. In any such collection action, the validity, amount, and appropriateness of the assessed penalty and of this CAFO shall not be subject to review.
- b. The debt being collected by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds. 40 C.F.R. Part 13, Subparts C and H.
- c. EPA may (i) suspend or revoke Respondent's licenses or other privileges; or (ii) suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds. 40 C.F.R. § 13.17.
- d. In accordance with the Debt Collection Act of 1982 and 40 C.F.R. Part 13 interest, penalties charges, and administrative costs will be assessed against the outstanding amount that Respondent owes to EPA for Respondent's failure to pay the civil administrative penalty by the deadline specified in Paragraph 33. Interest will be assessed at an annual rate that is equal to the rate of current value of funds to the United States Treasury (i.e., the Treasury tax and loan account rate) as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. 40 C.F.R. § 13.11(a)(1). Penalty charges will be assessed monthly at a rate of 6% per annum. 40 C.F.R. § 13.11(c). Administrative costs for handling and collecting Respondent's overdue

debt will be based on either actual or average cost incurred and will include both direct and indirect costs. 40 C.F.R. § 13.11(b). In addition, if this matter is referred to another department or agency (e.g., the Department of Justice, the Internal Revenue Service), that department or agency may assess its own administrative costs, in addition to EPA's administrative costs, for handling and collecting Respondent's overdue debt.

#### F. CERTIFICATION OF COMPLIANCE

36. In executing this CAFO, Respondent certifies that the information it has supplied concerning this matter was at the time of submission and is at the time of signature to this CAFO, truthful, accurate, and complete; and that, to the best of its knowledge, it is currently in compliance with any and all FIFRA requirements that apply to its ongoing operations. Under 18 U.S.C. § 1001, submitting false or misleading information can result in significant penalties, including the possibility of fines and imprisonment for knowing submission of such information.

#### G. RETENTION OF RIGHTS

37. In accordance with 40 C.F.R. § 22.18(c), this CAFO only resolves Respondent's liability for federal civil penalties for the violations and facts specifically alleged in Section I.C of the CAFO. Nothing in this CAFO is intended to or shall be construed to resolve (i) any civil liability for violations of any provision of any federal, state, or local law, statute, regulation, rule, ordinance, or permit not specifically alleged in Section I.C of the CAFO; or (ii) any criminal liability. EPA specifically reserves any and all authorities, rights, and remedies available to it (including, but not limited to, injunctive or other equitable relief

or criminal sanctions) to address any violation of this CAFO or any violation not specifically alleged in Section I.C of the CAFO.

38. This CAFO does not exempt, relieve, modify, or affect in any way Respondent's duty to comply with all applicable federal, state, and local laws, regulations, rules, ordinances, and permits.

#### H. ATTORNEY'S FEES AND COSTS

39. Each party shall bear its own attorneys' fees, costs, and disbursements incurred in this proceeding.

#### I. EFFECTIVE DATE

40. In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.31(b), this CAFO shall be effective on the date that the final order contained in this CAFO, having been approved and issued by either the Regional Judicial Officer or Regional Administrator, is filed.

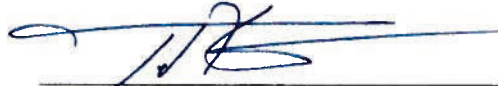
#### J. BINDING EFFECT

41. The undersigned representative of Complainant and the undersigned representative of Respondent each certifies that he or she is fully authorized to enter into the terms and conditions of this CAFO and to bind the party he or she represents to this CAFO.
42. The provisions of this CAFO shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns.

FOR RESPONDENT, TECHKO KOBOT, INC.

05/12/2026

DATE



Ted Ko  
President  
Techko Kobot, Inc.

FOR COMPLAINANT, EPA REGION IX:

5/15/2026

DATE

MATTHEW  
SALAZAR

Digitally signed by MATTHEW  
SALAZAR  
Date: 2026.05.15 08:46:38 -07'00'

Matt Salazar, P.E.  
Manager  
Toxics Section  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region IX

II. FINAL ORDER

Complainant and Respondent having entered into the foregoing Consent Agreement,

IT IS HEREBY ORDERED that this CAFO (Docket No. FIFRA-09-2026-0089) be entered.

Respondent has already paid the civil administrative penalty in the amount of FOUR THOUSAND, EIGHT HUNDRED AND FORTY-TWO DOLLARS (\$4,842) and provided proof of payment. Respondent is ordered to comply with all other terms and conditions set forth in the Consent Agreement.

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DATE

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Beatrice Wong  
Regional Judicial Officer  
U.S. Environmental Protection Agency, Region IX