



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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June 15, 2020  
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Received by

EPA Region VIII

Hearing Clerk

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**SENT BY 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  
Port of Salt Lake City, Utah

Subject: Requested action to be taken regarding the New UV Germicidal Bulb in shipment with entry number 574-03566276 FIFRA-08-2020-0042

Digitally signed by DAVID  
COBB  
Date: 2020.06.11 12:03:47  
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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 New UV Germicidal Bulb 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 following information pertains to the shipment of the New UV Germicidal Bulb:

- The importer is Rocky Mountain Vacuum Brokers, LLC, 8498 South Welby Farm Road, West Jordan, Utah 84088-5982.
- The broker is Arizona Customs Brokers, 2153 E. Jones Avenue, Phoenix, Arizona 85040.
- The manufacturer is Highend Home Appliance Company Limited, 1-16 Meiyuan Rd0zhongshan, China.
- The ship date was June 7, 2020.
- The entry number is 574-03566276.
- The airway bill number is UPSC0390W5VS3QDG.
- The product is New UV Germicidal Bulb.
- The port of entry is Salt Lake City, Utah 3303.
- The country of origin is China.

The shipment that arrived at the border for import was in violation of FIFRA section 12(a)(2)(L), which states that it is unlawful for any person to produce a pesticide or pesticide device subject to the Act in an unregistered establishment. Under FIFRA, a device that makes pesticidal claims is a pesticide device, and it must be produced in an establishment registered with the EPA prior to

distribution or sale. (40 C.F.R. § 167.20(a)(3)) This product, New UV Germicidal Bulb, makes pesticidal claims. Therefore, this product cannot be allowed entry into the United States.

On June 10, 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.

It is recommended that New UV Germicidal Bulb manufacturer obtain a pesticide device determination from the EPA Office of Pesticide Programs through a PRIA application, <https://www.epa.gov/pria-fees>. Refer specifically to the Pesticide Registration Manual: Chapter 13- Devices for information on how to obtain a device determination from EPA.

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.