



REGION 6

DALLAS, TX 75270

September 2, 2026

Via Electronic Mail:

maritzazelaya32@gmail.com

Maritza Zelaya
Maritza's Mi Tienda
16715 Stuebner Airline Rd,
Spring, Texas 77379

Re: ***Stop Sale, Use, or Removal Order***
In the Matter of Maritza's Mi Tienda
EPA Docket No. FIFRA-06-2026-0467

Dear Ms. Zelaya:

Pesticides present significant environmental and health concerns. Exposure to certain toxic pesticides may lead to injury or death, and the sale and use of incorrectly labeled or formulated pesticides pose a serious danger to human health and the environment. As a result, the United States Environmental Protection Agency (EPA) regulates the registration, distribution, sale, and use of pesticides pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the related regulations in the Code of Federal Regulations. Section 13(a) of FIFRA, 7 U.S.C. § 136k(a), authorizes the EPA to issue an order prohibiting the sale, use or removal of any pesticide by a person who owns, controls, or has custody of such pesticide whenever there is reason to believe on the basis of inspection or tests that the pesticide is in violation of any provision of FIFRA or has been or is intended to be distributed or sold in violation of FIFRA.

Attached is a **STOP SALE, USE, OR REMOVAL ORDER** ("SSURO" or "Order") directed Maritza's Mi Tienda ("Respondent") concerning the pesticidal product "Fabuloso Ultra Frescura Energía Naranja" (the Product). The SSURO directs Respondent to immediately cease the sale, use or removal of the Products unless written permission is provided by the EPA. ***This order is effective immediately upon receipt.***

Thank you for your cooperation with this matter. If you have any questions, please contact either Alex Roland (Roland.Alexdrea@epa.gov; 214-665-2753) or Elizabeth Pham (Pham.Elizabeth@epa.gov; [(214) 665-8345).

Sincerely,



Digitally signed by
MARGARET OSBOURNE
Date: 2026.09.02
15:45:16 -05'00'

Margaret Osbourne,
Acting Director
Enforcement and Compliance Assurance Division

Attachment: Stop Sale, Use, or Removal Order

FILED

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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

REGIONAL HEARING CLERK
EPA REGION 6

In the Matter of	§	
	§	
Maritza's Mi Tienda	§	Docket No. FIFRA-06-2026-0467
Spring, Texas	§	
	§	
	§	
Respondent	§	

STOP SALE, USE, OR REMOVAL ORDER

A. PRELIMINARY STATEMENT

1. This Stop Sale, Use, or Removal Order (the "Order" or "SSURO") is issued pursuant to the authority of Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA or the "Act"), 7 U.S.C. § 136k(a), as amended. Section 13(a) of FIFRA, 7 U.S.C. § 136k(a), authorizes the Administrator of the United States Environmental Protection Agency (EPA) to issue an order prohibiting the sale, use, or removal of any pesticide or device by any person who owns, controls, or has custody of such pesticide or device whenever there is reason to believe that, *inter alia*, the pesticide or device is in violation of any provision of FIFRA, or the pesticide or device has been or is intended to be distributed or sold in violation of any provision of FIFRA, or when the registration has been cancelled by a final order.

2. Complainant is EPA, Region 6. On behalf of the Administrator and the Regional Administrator, EPA, Region 6, and the Director of the Enforcement and Compliance Assurance Division, EPA Region 6, has been delegated the authority to issue orders under Section 13(a) of the Act, 7 U.S.C. § 136k(a).

3. Maritza's Mi Tienda ("Respondent") is a company doing business in the State of Texas. Respondent is a "person" as defined in Section 2(s) of FIFRA, 7 U.S.C. § 136(s).

B. STATUTORY AND REGULATORY BACKGROUND

4. Congress enacted FIFRA, 7 U.S.C. 136 *et seq.*, in 1947 and amended it in 1972 and in 1996. The general purpose of FIFRA is to provide the basis for regulation, sale, distribution and use of pesticides in the United States.

5. Section 12(a)(2) of FIFRA, 7 U.S.C. § 136j(a)(2), provides that it shall be unlawful for any person to violate any order issued under Section 13 of FIFRA.

6. Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A), provides that it is unlawful for any person in any State to distribute or sell to any person any pesticide that is not registered under Section 3 of FIFRA, 7 U.S.C. § 136a.

7. Section 2(s) of FIFRA, 7 U.S.C. § 136(s), defines "person" as any individual, partnership, association, corporation, or any organized group of persons whether incorporated or not.

8. Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg), defines "to distribute or sell" as to distribute, sell, offer for sale, hold for distribution, hold for sale, hold for shipment, ship, deliver for shipment, release for shipment, or receive and (having so received) deliver or offer to deliver.

9. Section 2(u) of FIFRA, 7 U.S.C. § 136(u), defines "pesticide" as, *inter alia*, any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

10. Section 2(t) of FIFRA, 7 U.S.C. § 136(t), defines “pest” as: (1) any insect, rodent, nematode, fungus, weed, or (2) any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria, or other micro-organism on or in living man or other living animals) which the Administrator declares to be a pest under Section 25(c)(1).

11. The regulations at 40 C.F.R. § 152.15(a)(1) and (b) further defines the term “pesticide” as any substance intended for a pesticidal purpose, and thus requiring registration, if the person who distributes or sells the substance claims, states, or implies (by labeling or otherwise) that the substance can or should be used as a pesticide; or the substance consists of or contains one or more active ingredients and has no significant commercially valuable use as distributed or sold other than use for pesticidal purpose.

12. Section 2(p)(1) of FIFRA, 7 U.S.C. § 136(p)(1), defines “label” as the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers.

13. Section 2(p)(2) of FIFRA, 7 U.S.C. § 136(p)(2), defines “labeling” as all labels and all other written, printed, or graphic matter – (A) accompanying the pesticide or device at any time; or (B) to which reference is made on the label or in literature accompanying the pesticide except to current official publications . . . authorized by law to conduct research in the field of pesticides.

C. BASIS FOR THE ORDER

14. Respondent owns and operates a retail facility located at 16715 Stuebner Airline Rd, Spring, Texas 77379 (the "Facility").

15. Respondent is a "person" as defined in Section 2(s) of FIFRA, 7 U.S.C. § 136(s).

16. Pursuant to Section 9 of FIFRA, 7 U.S.C. § 136g, on August 11, 2026, EPA conducted an onsite inspection of the Facility, to determine Respondent's compliance with FIFRA and the federal regulations promulgated thereunder (the "Inspection").

17. During the Inspection, EPA identified and reviewed the labels of the product, listed in Table 1 (the "Product"), that was offered for distribution and sale at the Facility. Labeling, advertising, and other marketing materials for the Product included, but was not limited to the following claims:

Table 1. Product Identified at the Facility

	Product Name	Claims on Labeling for the Product Translated to English
1	Fabuloso Ultra Frescura Antibacterial Y Antiviral (Energía Naranja (1L))	• Neutralizes Bad Odors, Viruses and Bacteria • Neutralizes bad odors, cleans effectively, eliminates viruses and bacteria and leaves a long-lasting fragrance • Eliminates 99.99% of <i>P. aeruginosa</i>, <i>E. coli</i>, <i>S. aureus</i> and <i>S. typhimurium</i> bacteria, and 99.9% of Influenza A H1N1, Human Coronavirus OC43, SARS-CoV-2 viruses

18. The Product claims to prevent, destroy, repel, or mitigate a "pest" (bacteria, viruses, rodents, insects, etc.) as defined by Section 2(t) of FIFRA, 7 U.S.C. § 136(t).

19. The Product is a "pesticide" as that term is defined by Section 2(u) of FIFRA, 7 U.S.C. § 136(u), because it is a substance intended for preventing, destroying, repelling, or mitigating a pest.

20. The Product is a substance intended for a pesticidal purpose pursuant to 40 C.F.R. § 152.15(a)(1) because Respondent implied by labeling that the substance can or should be used as a pesticide.

21. From the time Respondent distributed or sold the Product, the Product should have been registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

22. The Product was not registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a at the time of the Inspection and is not registered at the time of the issuance of this Order.

Sale or Distribution of Unregistered Pesticide

23. At the time of the Inspection, Respondent was engaged in the sale or distribution of the Product, which are defined by Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg), to include to distribute sell, offer for sale, hold for distribution, hold for sale, hold for shipment, ship, deliver for shipment, release for shipment, or receive and (having so received) deliver or offer to deliver.

24. Distribution or sale of the Product, which are unregistered pesticides, was an illegal act under paragraph (A) of Section 12(a)(1) of FIFRA, 7 U.S.C. § 136j(a)(1), which makes it unlawful for any person in any State to distribute or sell to any person a pesticide that is not registered under Section 3 of FIFRA, 7 U.S.C. § 136a.

25. EPA has reason to believe, based on the information described above, that Respondent had distributed or sold the Product or intended to distribute or sell the Product in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A).

26. On the basis of this finding EPA is authorized by Section 13(a) of FIFRA, 7 U.S.C. § 136k(a), to issue a stop sale, use, or removal order.

D. STOP SALE USE OR REMOVAL ORDER

27. Pursuant to the authority of Section 13(a) of FIFRA, 7 U.S.C. § 136k(a), Respondent is hereby ORDERED to **IMMEDIATELY CEASE** the sale, use, or removal of the Product under its ownership, control, or custody, wherever such products are located, except in accordance with the provisions of this Order, or until such time that the Product are in compliance with FIFRA.

28. This Order shall apply to all quantities and container types and sizes of all of the Product owned, controlled or in the custody of Respondent and any agent, contractor, employee, consultant, firm successor, and/or assign or other persons or entities acting on behalf of Respondent.

29. The Product shall not be used, sold, offered for sale, held for sale, shipped, delivered for shipment, received, or having so received, shall not be delivered, offered for delivery, moved, or removed for disposal from any facility or establishment, for any reason, unless approved by EPA in writing.

30. Should Respondent seek an exception to this Order's prohibitions, Respondent may submit a request to Elizabeth Pham at Pham.Elizabeth@epa.gov, which must include:

- a. The purpose for which movement is being requested;
- b. An accounting of the quantities of the Product to be moved, including location(s) and container size; and
- c. The destination location to which the Product will be moved.

31. Violation of the terms or provisions of this Order is a violation of Section 12(a)(2)(I) of FIFRA, 7 U.S.C. § 136j(a)(2)(I), and may subject the violator to **CIVIL OR CRIMINAL PENALTIES** as prescribed in Section 14 of FIFRA, 7 U.S.C. § 136l.

32. Respondent may seek federal judicial review of the Order pursuant to section 16 of FIFRA, 7 U.S.C. § 136n.

33. If any provision or authority of the Order or the application of the Order to Respondent is held by federal judicial authority to be invalid, the application to Respondent of the remainder of the Order shall remain in full force and effect and shall not be affected by such a holding.

34. The issuance of this Order shall not act as a waiver by EPA of any enforcement or other authority available to EPA under FIFRA.

35. For purposes of the identification requirement in Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), and 26 C.F.R. § 1.162-21(b)(2), performance of Section D of this Order is restitution, remediation, or required to come into compliance with the law.

36. This Order does not affect the obligation of Respondent to comply with all federal, state and local statutes, regulations and permits.

37. This Order shall be **EFFECTIVE IMMEDIATELY** upon receipt by Respondent.

38. This Order shall remain in effect unless and until revoked, terminated, suspended, modified, or released by EPA.

39. EPA may subsequently amend this Order, in writing, in accordance with the authority of FIFRA. Any amendment will be transmitted to Respondent. In the event of any such

subsequent amendment to this Order, all requirements for performance of this Order not affected by the amendment shall remain as specified in the original Order.

E. OTHER MATTERS

40. For any additional information about this SSURO please contact Elizabeth Pham, EPA, at (214) 665-8345 or Pham.Elizabeth@epa.gov. For any legal matters concerning this Order, you are encouraged to contact Alex Roland, Office of Regional Counsel, at (214) 665-2753 or Roland.Alexandrea@epa.gov.

Date: _____

 Digitally signed by
MARGARET OSBOURNE
Date: 2026.09.02
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Margaret Osbourne
Acting Director
Enforcement and Compliance Assurance Division
U.S. EPA, Region 6

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Stop Sale, Use, and Removal Order and Agreement on Consent was filed with me, the Regional Hearing Clerk, U.S. EPA - Region 6, 1201 Elm Street, Suite 500, Dallas, Texas 75270-2102, and that I sent a true and correct copy on this day in the following manner to the email addresses:

Copy via Email to Complainant:

Roland.Alexandrea@epa.gov
Pham.Elizabeth@epa.gov

Copy via Email to Respondent:

maritzazelaya32@gmail.com
Maritza Zelaya
Maritza's Mi Tienda
16715 Stuebner Airline Rd.
Spring, Texas 77379

LORENA
VAUGHN

Digitally signed by
LORENA VAUGHN
Date: 2026.09.08
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Regional Hearing Clerk
U.S. EPA, Region 6