



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 WYNKOOP STREET

DENVER, CO 80202-1129

Phone 800-227-8917

http://www.epa.gov/region08

2008 APR 22 PM 2:59

U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGIONAL OFFICE

DOCKET NO.: FIFRA-08-2007-0013

IN THE MATTER OF:	)	
	)	
<b>AMERICAN BIOTECH LABS, LLC.</b>	)	<b>FINAL ORDER</b>
80 West Canyon Crest Road	)	
Alpine, UT	)	
	)	
<b>RESPONDENT</b>	)	

Pursuant to 40 C.F.R. §22.18, of EPA's Consolidated Rules of Practice, the Consent Agreement resolving this matter is hereby approved and incorporated by reference into this Final Order. The Respondent is hereby **ORDERED** to comply with all of the terms of the Consent Agreement, effective immediately upon receipt by Respondent of this Consent Agreement and Final Order.

SO ORDERED THIS 22<sup>nd</sup> DAY OF April, 2008.



\_\_\_\_\_  
Elyana R. Sutin  
Regional Judicial Officer

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2007 APR 22 PM 1:58

Docket No. FIFRA-08-2007-0013

In the Matter of: )  
)  
American Biotech Labs, LLC., ) **CONSENT AGREEMENT**  
80 West Canyon Crest Road )  
Alpine, Utah, )  
)  
Respondent. )

Complainant, United States Environmental Protection Agency, Region 8 (EPA), and Respondent, American Biotech Labs, LLC., by their undersigned representatives, hereby consent and agree as follows:

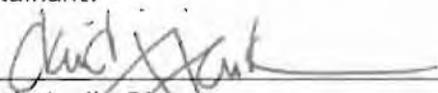
1. On September 26, 2007, Complainant issued a Complaint alleging certain violations of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), specifically 7 U.S.C. § 136j(a)(1)(F) and 7 U.S.C. § 136j(a)(2)(B)(i). The Complaint proposed a civil penalty for the violation alleged therein.
2. Respondent admits the jurisdictional allegations of the Complaint and neither admits nor denies the specific factual allegations of the Complaint.
3. Respondent waives its right to a hearing before any tribunal, to contest any issue of law or fact set forth in the Complaint, or this Consent Agreement.
4. This Consent Agreement, upon incorporation into a final order, applies to and is binding upon EPA and Respondent. This Consent Agreement contains all terms of the settlement agreed to by the parties.
5. The parties agree to settle this matter for zero penalty.
6. Nothing in this Consent Agreement shall relieve Respondent of the duty to comply with FIFRA and its implementing regulations.
7. The undersigned representative of Respondent certifies that he/she is fully authorized to enter into the terms and conditions of this Consent Agreement and to bind Respondent to the terms and conditions of this Consent Agreement.
8. The parties agree to submit this Consent Agreement to the Regional Judicial Officer, with a request that it be incorporated into a final order.

9. Each party shall bear its own costs and attorney fees in connection with this matter.

10. This Consent Agreement, upon incorporation into a final order by the Regional Judicial Officer and full satisfaction by the parties, shall be a complete and full civil settlement of the specific violations alleged in the Complaint.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 8,  
Complainant.

Date: 4/22/2008

By:   
David J. Janik, Director  
Legal Enforcement Program

Date: 4-22-08

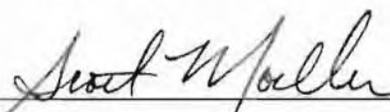
By:   
Mark Chalfant, Director  
Technical Enforcement Program

Date: 4/22/2008

By:   
Eduardo Quintana  
Enforcement Attorney  
Legal Enforcement Program

American Biotech Labs, LLC.,  
Respondent.

Date: 21 APRIL 2008

By:   
Name: SCOTT MOELLER  
Title: A MANAGING DIRECTOR

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CONSENT AGREEMENT/FINAL ORDER** in the matter **AMERICAN BIOTECH LABS, LLC**; **DOCKET NO.: FIFRA-08-2007-0013** was filed with the Regional Hearing Clerk on April 22, 2008.

Further, the undersigned certifies that a true and correct copies of the documents were delivered to Eduardo Quintana, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt requested and e-mailed on April 22, 2008, to:

Michael T. Novak, Esq.  
Keller and Heckman LLP  
1001 G Street, NW  
Suite 500 West  
Washington, DC 20001  
[novak@khlaw.com](mailto:novak@khlaw.com)

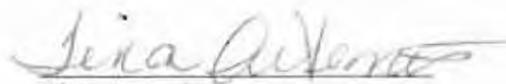
Pouch Mail and E-mail to:

Honorable Susan L. Biro  
Chief, Administrative Law Judge  
U. S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

E-mailed to:

Michelle Angel  
U. S. Environmental Protection Agency  
Cincinnati Finance Center  
26 W. Martin Luther King Drive (MS-0002)  
Cincinnati, Ohio 45268

April 22, 2008

  
Tina Artemis  
Paralegal/Regional Hearing Clerk