

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

In the Matter of: :
 :
Mold Medics Global, LLC : Docket No. FIFRA-03-2020-0137SS
300 Water Street, Suite 300 :
Wilmington, Delaware 19801, : STOP SALE, USE, OR REMOVAL ORDER
 :
 : Proceeding under Section 13(a) of the Federal
 : Insecticide, Fungicide, and Rodenticide Act
Respondents. :

STOP SALE, USE, OR REMOVAL ORDER

I. AUTHORITY

1. This Stop Sale, Use or Removal Order (Order) is issued to Mold Medics Global, LLC pursuant to the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA or the Agency) by Section 13(a) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, 7 U.S.C. § 136k(a), which authorizes the Administrator of the EPA to issue an order prohibiting the sale, use, or removal of any pesticide or device whenever there is reason to believe that such 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.
2. The Administrator of the EPA delegated this authority under FIFRA to the Regional Administrators by the EPA Delegation 5-12. The authority to issue Stop Sale, Use or Removal Order Orders has been redelegated to the Director of the EPA Region 3 Enforcement and Compliance Assurance Division, among other delegates.

II. APPLICABLE LAW

3. Section 3 of FIFRA, 7 U.S.C. § 136a, states that no person in any State may distribute or sell to any person any pesticide that is not registered under FIFRA.
4. 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.
5. 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.”
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(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 micro-organisms on or in living man or other living animals) which the Administrator declares to be a pest under section 136w(c)(1) of this title.”
8. Section 2(mm) of FIFRA, 7 U.S.C. § 136(mm), defines an “antimicrobial pesticide” as “(i) a pesticide that is intended to disinfect, sanitize, reduce, or mitigate growth or development of microbiological organisms; or (ii) protect inanimate objects, industrial processes or systems, surfaces, water, or other chemical substances from contamination, fouling, or deterioration caused by bacteria, viruses, fungi, protozoa, algae, or slime.”
9. Pursuant to 40 C.F.R. § 152.15 (Pesticide Products Required to be Registered), “a substance is considered to be intended for a pesticidal purpose, and thus to be a pesticide requiring registration, if (a) the person who distributes or sells the substance claims, states, or implies (by labeling or otherwise): (1) That the substance (either by itself or in combination with any other substance) can or should be used as a pesticide; or (2) the substance consists of or contains an active ingredient and that it can be used to manufacture a pesticide; or (b) The substance consists of or contains one or more active ingredients and has no significant commercially valuable use as distributed or sold other than (1) use for pesticidal purpose (by itself or in combination with any other substance), (2) use for manufacture of a pesticide; or (c) the person who distributes or sells the substance has actual or constructive knowledge that the substance will be used, or is intended to be used, for a pesticidal purpose.”
10. 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.” *See also* 40 C.F.R. § 152.3.
11. Section 2(p) of FIFRA, 7 U.S.C. § 136(p), defines “label” as “the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers;” and 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 or device”

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

12. The Respondent in this matter is Mold Medics Global, LLC (hereinafter “Mold Medics” or “Respondent”), a limited liability company with its principle place of business located at 300 Water Street, Suite 300, Wilmington, DE 19801. Mold Medics is a “person” as defined in Section 2(s) of FIFRA, 7 U.S.C. § 136(s).
13. Mold Medics sells mold remediation products and provides mold remediation services.
14. Upon information and belief, Mold Medics primarily “sells and distributes” its products on its website, www.moldmedicsglobal.com, and has marketed and continues to market its products with pesticide claims on its website, in violation of 40 C.F.R. § 152.15, as described below.
15. Respondent has offered and continues to offer for sale the following products on its website, www.moldmedicsglobal.com:
 - a. Product M

- b. HVAC Evaporator Cleaner (also referred to as “Clean Air”)
 - c. Product O Odor Remover (also referred to as “Product O”)
 - d. Surface Cleaner (also referred to as “Mold Stain Cleaner”)
16. EPA reviewed Mold Medics’ website at www.moldmedicsglobal.com on August 26, 2020 and September 8, 2020, and on other numerous occasions during the time that EPA has attempted to bring Mold Medics into compliance as summarized below. EPA found that Mold Medics’ website has continuously, through the date of the issuance of this Order, included pesticide claims for each of its products, including, but not limited to those statements described below.
 17. On April 22, 2020, the EPA Region 3 Public Information Center received a phone call inquiry from a representative of Mold Medics inquiring how to get their product “Product M” on “List N: Disinfectants for Use Against SARS-CoV-2 (COVID-19)”. EPA discovered the products, identified in paragraph 15 above, making pesticidal claims upon further review of the Mold Medics’ website.
 18. On May 5, 2020, once EPA became aware that Mold Medics was selling potentially violative pesticide products, EPA emailed Mold Medics information regarding pesticide registration.
 19. On May 6, 2020 an Advisory Letter was sent to Mold Medics alerting the company about possible FIFRA violations including selling and/or distributing unregistered pesticides (a copy of the Advisory Letter is attached hereto as Attachment 1).
 20. On May 12, 2020, the company informed EPA that it made changes to its website, however, pesticidal claims were not removed and the products were still not registered with the EPA.
 21. On May 27, 2020 an Information Request Letter (IRL) was sent to Mold Medics Global.
 22. On July 21, 2020, EPA emailed a response letter to Mold Medics stating that it received the company’s reply to the Advisory Letter and the website changes did not sufficiently address the issues.
 23. On July 27, 2020 the company sent the information requested in the IRL and stated it had made additional changes to its website, however, the products are still not registered with the EPA and pesticidal claims can still be found on the website as described below.
 24. Respondent’s website has a webpage called “Product Advantages” and includes a webpage titled “*Enzyme Based, Eco-Friendly Products*” (a printout of the “Product Advantages” webpage is attached hereto as Attachment 2). This webpage contains the following pesticidal claim:
 - a. *“Our plant-based, enzyme technology products, M and O, remove mold, bacteria, coliforms, Aspergillus, and other pathogens more effectively and much longer than other products that use harsh chemicals.”*
 - b. *“Our products were developed based on the concept of making eco-friendly cleaning, bacteria abatement, mold abatement odors abatement and bacteria control products by using the same scientific methods that are used to create vaccines.”*
 - c. *“We begin by extracting specific enzymes from selected microorganisms. These enzymes are preserved and combined with other natural plant extracts to produce 100% green, non-toxic cleaning products that are completely safe for humans and pets and more effective than harsh chemical products.”*

- d. *“To achieve the best results possible, we created a method for germ and mold control that uses the bacteria, and the mold’s own systems, to reduce the incidence of infection and spoilage caused by microorganisms.”*
25. Respondent’s website has a webpage called “Pathogen Cleaners” (a printout of the “Pathogen Cleaners” webpage is attached hereto as Attachment 3), which lists Product M, Product O, HVAC Evaporator Cleaner (also called Clean Air), and Surface Cleaner (also called Mold Stain Cleaner). This webpage contains the following pesticidal claim: *“If you have mold or odor problems, we have solutions! Our products don’t just clean mold, mildew, bacteria and odors. They transform them into harmless, organic matter!”*

PRODUCT M

26. In addition to the pesticidal claims referenced in paragraph 24 and 25 above, Respondent’s website contains the following pesticidal claims for Product M (a printout of the Product M product webpage is attached hereto as Attachment 4).
- a. *“Product M is a completely green mold remediation product that is plant-based. Because it is an enzyme-based catalytic, M remains on the job long after application (bleach evaporates almost instantly) to provide long-lasting protection from further outbreaks. It is natural, green, eco-friendly and safe for people and pets because it contains no harsh ingredients. It is dispersed by a do-it-yourself aerosol fogger that permeates carpets, draperies and every crack and crevice of the space that needs cleaning. It eliminate moss, mold, mildew, algae, odors, and bacteria from any space. Requires no scrubbing, no rinsing and no power washing.”*
 - b. *“Cleans moss, mold, mildew, algae, odor and bacteria.”*
 - c. *“Fogging reaches microscopic mold spores that have been dispersed through sporulation.”*
 - d. *“Denatures mold protein into its pre-protein components - amino acids and peptides.”*
 - e. *“Product M Mold, Bacteria, and Odor Remover.”*
27. There is one customer review of this product which states: *“CORONA VIRUS PREVENTION, Lin Ronald on Jan 26, 2020, “This product remediates both SARS virus and MERS virus which frightened the world a few years ago. To be safe against CORONA VIRUS we suggest keeping a stock of M product to protect home or workplace.”*
28. The label for Product M references the following website: www.mold-medics.com, which also includes pesticidal claims regarding the product (a copy of the label for Product M is attached hereto as Attachment 5.).
- a. *“Our Product “M” (mold remover) is a completely green mold remediation product which is plant based and enzyme driven.”*
 - b. *“Bleach wipe downs and demo projects don’t deal with the mold spores that have found their way throughout the property. Those traditional, yet ineffective, remedies only address the cosmetic part of the problem. Removing the visible contamination does not necessarily improve the air quality and overall living environment. There is nothing that bleach, toxic chemical remediation and/or demolition can do about the troublesome mold spores that could cause adverse health problems of the occupants. Our “M” product can be fogged and this reaches the microscopic mold spores that have been dispersed about*

the property in sporulation. That's where Mold-Medics' Product "M" distinguishes itself."

29. As described in paragraphs 26 through 28 above, Product M is "(i) a pesticide that is intended to disinfect, sanitize, reduce, or mitigate growth or development of microbiological organisms; or (ii) protect inanimate objects, industrial processes or systems, surfaces, water, or other chemical substances from contamination, fouling, or deterioration caused by bacteria, viruses, fungi, protozoa, algae, or slime" and is, therefore, an antimicrobial pesticide under Section 2(mm) of FIFRA, 7 U.S.C. § 136(mm).
30. Product M is not registered in accordance with Section 3 of FIFRA, 7 U.S.C. § 136a.
31. Sales records provided by Mold Medics on July 27, 2020 show that Product M was sold fourteen (14) times from September 15, 2019 to April 7, 2020.
32. Therefore, Respondent is selling and/or distributing Product M, an unregistered pesticide, in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A).

HVAC EVAPORATOR CLEANER (CLEAR AIR)

33. In addition to the pesticidal claims referenced in paragraphs 24 and 25 above, Respondent's website contains the following claims for HVAC Evaporator Cleaner (a printout of the HVAC Evaporator Cleaner product webpage is attached hereto as Attachment 6):
 - a. *"Now you can Breathe Clean Air all year long with this quick and easy solution to your vehicle's A/C problems. In as little as 15 minutes you can free yourself of the odor causing mold, bacteria, and road grime that is stuck in your vehicle's air conditioner. Choose Unscented or Regular for a wonderfully fresh lemon citrus experience every time you step into your car!"*
 - b. *"Washes away road grime, allergy and odor causing mold and bacteria."*
34. As described in paragraph 33 above, HVAC Evaporator Cleaner is "(i) a pesticide that is intended to disinfect, sanitize, reduce, or mitigate growth or development of microbiological organisms; or (ii) protect inanimate objects, industrial processes or systems, surfaces, water, or other chemical substances from contamination, fouling, or deterioration caused by bacteria, viruses, fungi, protozoa, algae, or slime" and is, therefore, an antimicrobial pesticide under Section 2(mm) of FIFRA, 7 U.S.C. § 136(mm).
35. HVAC Evaporator Cleaner is not registered in accordance with Section 3 of FIFRA, 7 U.S.C. § 136a.
36. Sales records provided by Mold Medics on July 27, 2020 show that HVAC Evaporator Cleaner was sold two (2) times from September 15, 2019 to April 7, 2020.
37. Therefore, Respondent is selling and/or distributing HVAC Evaporator Cleaner, an unregistered pesticide, in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A).

PRODUCT O ODOR REMOVER

38. As described in paragraph 24 and 25 above, Respondent's website contains pesticidal claims for Product O including, *"Our plant-based, enzyme technology products, M and O, remove mold,*

bacteria, coliforms, Aspergillus, and other pathogens more effectively and much longer than other products that use harsh chemicals.” (See Attachment 2).

39. As described in paragraph 38 above, Product O is “(i) a pesticide that is intended to disinfect, sanitize, reduce, or mitigate growth or development of microbiological organisms; or (ii) protect inanimate objects, industrial processes or systems, surfaces, water, or other chemical substances from contamination, fouling, or deterioration caused by bacteria, viruses, fungi, protozoa, algae, or slime” and is, therefore, an antimicrobial pesticide under Section 2(mm) of FIFRA, 7 U.S.C. § 136(mm).
40. Product O is not registered in accordance with Section 3 of FIFRA, 7 U.S.C. § 136a.
41. Product O is available to purchase on Mold Medics’ website. Printouts of the webpage where a customer is able to add Product O to an online shopping cart and proceed all the way to a payment page are attached hereto as Attachments 7 & 8.
42. Therefore, Respondent is selling and/or distributing Product O, an unregistered pesticide, in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A).

SURFACE CLEANER (MOLD STAIN CLEANER)

43. Respondent’s website contains the following claims for Surface Cleaner (a printout of the Surface Cleaner product webpage is attached hereto as Attachment 9):
 - a. *“Cleans surfaces by removing mold, bacteria, and fungus prior to fogging the affected space. Used to pre-clean surfaces to be treated. Both cleaners are concentrated - add water 7 or 8 to 1.”*
 - b. *“Our Surface Cleaner is a state-of-the-art, eco-friendly, plant-based enzyme used to disinfect gym and pool areas. This enzyme has been proven effective against MRSA, Staph, E-Coli and other microorganisms. This product will help to ensure the safety of members, guests and staff without using harsh chemicals. More information, including Safety Data Sheet (SDS), is available upon request.”*
44. The label for Surface Cleaner states: *“For mold/fungal growth: Apply liberally to visible fungal growth, wait 10 minutes, lightly scrub, wipe and reapply.”* (Photographs of the label for Surface Cleaner are attached hereto as Attachments 10 & 11).
45. Surface Cleaner is not registered in accordance with Section 3 of FIFRA, 7 U.S.C. § 136a.
46. As described in paragraphs 43 through 45 above, Surface Cleaner is “(i) a pesticide that is intended to disinfect, sanitize, reduce, or mitigate growth or development of microbiological organisms; or (ii) protect inanimate objects, industrial processes or systems, surfaces, water, or other chemical substances from contamination, fouling, or deterioration caused by bacteria, viruses, fungi, protozoa, algae, or slime” and is, therefore, an antimicrobial pesticide under Section 2(mm) of FIFRA, 7 U.S.C. § 136(mm).
47. Surface Cleaner is available to purchase on Mold Medics’ website. Printouts of the webpage where a customer is able to add the Surface Cleaner to an online shopping cart and proceed all the way to a payment page are attached hereto as Attachments 12 & 13.
48. Therefore, Respondent is selling and/or distributing Surface Cleaner, an unregistered pesticide, in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A).

49. The EPA has made multiple attempts including, but not limited to, the occasions referenced in paragraphs 16 through 23 above, to work with Mold Medics to remove the pesticide claims and the unsubstantiated efficacy claims to correct violations of Sections 12(a)(1)(A) of FIFRA (Sale and Distribution of Unregistered Pesticides), 7 U.S.C. § 136j(a)(1)(A).

IV. SUMMARY OF BASIS FOR THE ORDER

50. In light of the findings set forth above in paragraphs 12 through 49 above, the EPA has reason to believe that the Respondent's products identified in paragraph 15 above, are unregistered pesticides that are being distributed, sold, and/or offered for sale in violation of 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A).

V. ORDER

51. Pursuant to Section 13(a) of FIFRA, Mold Medics is hereby ordered to STOP any further distribution, sale, use, or removal of the following products in its custody or control except in compliance with FIFRA:
- a. Product M
 - b. HVAC Evaporator Cleaner (also referred to as "Clean Air")
 - c. Product O Odor Remover (also referred to as "Product O")
 - d. Surface Clean (also referred to as "Mold Stain Clean")
52. The unregistered pesticide products and the misbranded pesticide products identified above, in paragraph 51, shall not be sold; offered for sale; held for sale; shipped; delivered for shipment; received; or having been so received; delivered; offered for delivery; moved or removed from wherever the products are located, without prior written approval from the EPA. Mold Medics shall send all written request(s) for approval to:
- Hannah G. Leone
Assistant Regional Counsel
EPA, Region 3
Office of Regional Counsel
Leone.hannah@epa.gov
53. This Order applies to all quantities of the unregistered pesticide products identified above, within the ownership, control, or custody of Mold Medics, or under the ownership, control, or custody of any parties acting for Mold Medics, wherever located in the United States, or that may come into the possession of Mold Medics, so long as the products are not registered with the EPA.
54. Violation of the terms or provisions of this Order may subject Mold Medics to civil penalties as prescribed in Section 14 of FIFRA, 7 U.S.C. § 136l.
55. The issuance of this Order shall not act as a waiver by the EPA of any enforcement or other authority available to the EPA under FIFRA.
56. This Order shall be EFFECTIVE IMMEDIATELY upon receipt by Mold Medics.
57. This Order shall remain in effect unless and until revoked, terminated, suspended, or modified in writing by the EPA.

58. If any provision or provisions of this Order is/are subsequently held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not be affected or impaired thereby and they shall remain in full effect.
59. Mold Medics may seek federal judicial review of the Order pursuant to Section 16 of FIFRA, 7 U.S.C. § 136n.

Date

Karen Melvin
Director
Enforcement and Compliance Assurance Division