



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Ref: 8ENF-AT-TP

SENT VIA ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED

April 28, 2020
1:33 PM

Date: April 28, 2020

Received by

From: David Cobb
Unit Chief, Toxics Enforcement Unit
Office of Enforcement, Compliance and Environmental Justice

EPA Region VIII

Hearing Clerk

To: U.S. Department of Homeland Security
Bureau of Customs and Border Protection
Port of Pembina, North Dakota

Subject: Requested action to be taken regarding the Lemon Guard Concentrate Cleaning Sanitizer
in shipment with entry number SCS-01286477 FIFRA-08-2020-0031

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 Lemon Guard Concentrate Cleaning Sanitizer 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 Lemon Guard Concentrate Cleaning Sanitizer:

- The importer is UPS Supply Chain Solutions, Box 369, Pembina, North Dakota 58271-0369.
- The airway bill number is UPSC59V8W3T9CRGF.
- The shipper Econo-Chem, 130 Bownes Centre Northwest, Calgary, Alberta, Canada, T3B, 5M5.
- The point of contact is Richard Pittman, SHIPPING@ECONO-CHEM.COM.
- The ship date was April 16, 2020.
- The airway bill number is UPSCR9528AH4B79F.
- The product is Lemon Guard Concentrate Cleaning Sanitizer.
- The port of entry is Pembina, North Dakota 3401.
- The country of origin is Canada.

The shipment that arrived at the border for import was in violation of FIFRA section 12(a)(1)(A), which states that it is unlawful for any person to distribute or sell any pesticide that is not registered

under section 3 of FIFRA. Under FIFRA, a product that makes pesticidal claims is a pesticide, and it must be registered with the EPA prior to distribution or sale. This product, Lemon Guard Concentrate Cleaning Sanitizer, makes pesticidal claims. The label for this product indicates that it is “a cleaner, disinfectant, and sanitizer” and it also provides use directions for “disinfection” and “sanitation”. Therefore, this product cannot be allowed entry into the United States.

On April 20, 2020, the Customs and Border Patrol unit chief in Pembina, North Dakota, was informed by the EPA that it would deny entry of this shipment.

Please contact Christine Tokarz, the import enforcement coordinator, by phone at (303) 312-6147 or by email at tokarz.christine@epa.gov if you have any questions concerning this matter.