



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Ref: 8ENF-AT-TP

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Date: April 17, 2019

To: U.S. Department of Homeland Security
Bureau of Customs and Border Protection

From: David Cobb, Supervisor
Toxics and Pesticides Enforcement Unit
Technical Enforcement Program

Subject: Requested action to be taken regarding the import of Ultrasonic Pest Repeller shipment tracking number 4911-0935-1038

By this memorandum, Region 8 of the U.S. Environmental Protection Agency is informing the Bureau of Customs and Border Protection of the U.S. Department of Homeland Security that the Ultrasonic Pest Repeller in the import shipment described below, should be **denied entry** 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. § 12.114.

The following information pertains to the shipment:

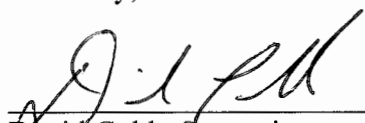
- The pesticide product in this shipment is Ultrasonic Pest Repeller.
- The shipment consists of four boxes, total weight of 38 kilograms.
- Master Fed Ex Tracking Number 4911-0935-1038.
- The importer of record is Qusta Rahib, Amazon.Com Services Inc., 33333 LBJ FWY, Dallas, Texas, 75241-7203.
- The broker/filer of record is FedEx Trade Networks, located in Denver, Colorado.
- The shipper of record is Alex Hangzhou Hearnrain Co., Ltd., 1205 Yuanzhu Yihao Desheng East Road, Hangzhou, China 310021.
- The port of entry is Denver International Airport (3307).
- The shipment date is April 13, 2019.
- The Country of Origin is China.

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, Ultrasonic Pest Repeller,

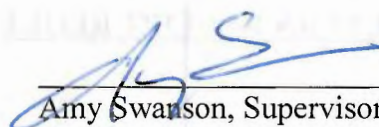
makes pesticidal claims. The packaging of this product states, “electronic experts of eliminate for the four pest,” and has the phrases “pest repeller” and “pest reject.” Therefore, this product cannot be allowed entry into the United States. On April 16, 2019, the EPA assisted Assistant Port Director JoAnn Winks of the U.S. Department of Homeland Security Bureau of Customs and Border Protection on an inspection to make this determination.

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.

Sincerely,



David Cobb, Supervisor
Toxics and Pesticides Enforcement Unit
Technical Enforcement Program



Amy Swanson, Supervisory Attorney
Regulatory Enforcement Unit
Legal Enforcement Program