



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

2011 OCT 20 AM 10:32

FILED
EPA REGION VIII
HEARING ROOM

Stop Sale, Use, or Removal Order

DOCKET NO.: FIFRA-08-2012-0001

Nicholas R Ortega
Name of person ordered

10.19.11
Date

Nick's Garden Center
Name of company

2001 S. Chambers Road
Address

Aurora, CO 80014

By the authority vested in me pursuant to Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, you are hereby ordered not to sell, use, or remove the pesticide(s) or device(s): _____

Mite-Rid in 45 ml containers

Name of pesticide(s), device(s), other identifications

Based upon inspection activities and/or tests there is reason to believe that the pesticide(s) and/or device(s) is/are in violation of the provision(s) of Section 12 of FIFRA. Specifically, the violation(s) concern: Mite-Rid makes pesticidal claims and is not registered with EPA.

This order shall pertain to all quantities of the above named pesticides or devices within the ownership, control, or custody of the above named person, wherever located. These pesticides and/or devices shall not be sold, used, or removed from the premises for any reason without prior written approval from EPA. This Order shall be **EFFECTIVE IMMEDIATELY** upon receipt by Respondent.

Any person violating the terms or provisions of this order shall be subject to the penalties prescribed in Section 14 of FIFRA.

Order served by: David Golden, Inspector
Signature and title of EPA employee

Order received by: Michelle R. Ryan
Signature and title of person named above

For information concerning the Stop Sale, Use, or Removal Order, contact:

David Golden
U.S. EPA, Region 8, ENF-UFO
Technical Enforcement Program
1595 Wynkoop Street
Denver, Colorado 80202
Phone: 303.312.6501
Fax: 303.312.6953
Email: golden.david@epa.gov



CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **STOP SALE, USE, OR REMOVAL ORDER** in the matter of **NICK'S GARDEN CENTER; DOCKET NO.: FIFRA-08-2012-0001**. The documents were filed with the Regional Hearing Clerk on October 20, 2011.

Further, the undersigned certifies that a true and correct copy 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 documents were placed in the United States mail certified/return receipt requested on October 20, 2011, to:

Nicholas R. Ortega
Nick's Garden Center
2001 S. Chambers Road
Aurora, CO 80014

October 20, 2011



Tina Artemis
Paralegal/Regional Hearing Clerk

