UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9
75 Hawthorne St
San Francisco, CA 94105

FILED
May 29, 2026
3:26 pm
U.S. EPA REGION IX
HEARING CLERK

IN THE MATTER OF	)	
	)	
Germains Seed Technology, Inc.	)	Docket No. FIFRA-09-2026-0085
8333 SWANSTON LANE	)	
GILROY, CA 95020	)	EXPEDITED SETTLEMENT
Respondent.	)	AGREEMENT AND FINAL ORDER
	)	

EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER

1. The U.S. Environmental Protection Agency ("EPA"), Region IX, through the duly delegated Manager of the Toxics Section of the Enforcement and Compliance Assurance Division ("Complainant"), alleges that **Germains Seed Technology, Inc.** ("Respondent") failed to comply with Section 7(c)(1) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. § 136e(c)(1), and its implementing regulations at 40 C.F.R. § 167.85.

2. Section 7(c)(1) of FIFRA, 7 U.S.C. § 136e(c)(1), requires any producer operating a registered pesticide producing establishment to inform EPA of the types and amounts of pesticides and, if applicable, active ingredients used in producing pesticides, which it is producing, which it has produced during the past year, and which it has sold or distributed during the past year. The information required by this paragraph shall be kept current and submitted to the Administrator annually as required by such regulations as the Administrator may prescribe.

3. Pursuant to 40 C.F.R. § 167.85(d), a producer operating a registered pesticide producing establishment must submit an initial report to EPA no later than 30 days after the first registration of each establishment the producer operates and thereafter complete and submit an annual pesticide production report on or before March 1 of each year, even if the producer has produced no pesticidal product for that reporting year.

4. Respondent has failed to comply with Section 7(c)(1) of FIFRA, 7 U.S.C. § 136e(c)(1), and the regulations at 40 C.F.R. §167.85(d) by failing to complete and submit its annual pesticide production report for the 2025 reporting year for the facility located at 8333 SWANSTON LANE, GILROY, CA 95020 by **March 1, 2026.**

5. Respondent previously failed to submit an annual pesticide production report for the facility for the 2024 reporting year by March 1, 2025, for which Respondent was issued a Notice of Warning on April 1, 2025.

6. Complainant and Respondent agree that settlement of this matter for a civil penalty of **$1,400 (One-thousand Four-hundred Dollars)** is in the public interest.

7. Complainant is authorized to enter into this Expedited Settlement Agreement ("Agreement") for the assessment of a civil penalty that simultaneously commences and concludes this matter pursuant to Section 14(a) of FIFRA, 7 U.S.C. § 136l(a) and 40 C.F.R. §§22.13(b) and 22.18(b).

8. By signing this Agreement, Respondent: (a) admits that Respondent is subject to the requirements in Paragraphs 2 through 3 above; (b) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein; (c) neither admits nor denies the factual allegations contained herein; (d) consents to any conditions specified in the Agreement and to the assessment of the civil penalty; and (e) waives any right to contest the allegations contained herein or and its right to appeal the proposed Final Order attached hereto.

9. Within 30 days of the effective date of this Agreement, Respondent shall pay a civil penalty of **$1,400 (One-thousand Four-hundred Dollars)** for the FIFRA violations identified in this Agreement.

10. Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA website: https://www.epa.gov/financial/makepayment. For additional instructions, see: https://www.epa.gov/financial/additional-instructions-making-payments-epa.

11. When it pays the penalty, Respondent must send a notice of payment that states Respondent's name, complete address, and the docket number (along with a photocopy of the check or a statement of affirmation or receipt of an electronic funds transfer) to:

Regional Hearing Clerk
Office of Regional Counsel (ORC-1)
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105
R9hearingclerk@epa.gov

Rieko Nishimura
Enforcement and Compliance Assurance Division (ENF-2-3)
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105
nishimura.rieko@epa.gov

Carol Bussey, Esq.
Office of Regional Counsel

U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, CA 94105
bussey.carol@epa.gov

12. Full payment of the penalty set forth in this Expedited Settlement Agreement and Final Order shall only resolve Respondent's liability for federal civil penalties for the violations and facts alleged herein.

13. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Agreement shall be claimed by Respondent as a deduction for federal, state or local income tax purposes.

14. If Respondent does not timely pay the civil penalty, EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties, and the United States enforcement expenses for the collection action. The validity, amount and appropriateness of the civil penalties are not reviewable in a collection action.

15. EPA reserves all of its rights to take enforcement action for any other past present or future violations by Respondent of FIFRA, any other federal statue or regulation, or this Agreement.

16. By its signature below, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that it has now submitted its 2025 annual pesticide production report; and it is presently in compliance with all requirements of FIFRA, 7 U.S.C. §§ 136 *et seq*.

17. Each party shall bear its own costs and fees, if any.

18. The undersigned representatives of Respondent and Complainant each certifies that he or she is fully authorized to enter into this Agreement and to bind the party that he or she represents.

19. This Agreement is binding upon Respondent and its successors and assigns and, in accordance with 40 C.F.R. § 22.31(b), is effective upon the filing of the Agreement and the Final Order attached to the Agreement.

IT IS SO AGREED.
FOR RESPONDENT:

Signed by:
Helen Fomina
8F3FA31D9B9B4AE...

Date: 12-05-2026 | 12:54:35 BST

Name (Print): Helen Fomina

Title (Print): Managing Director

FOR COMPLAINANT:

MATTHEW SALAZAR Digitally signed by MATTHEW SALAZAR
Date: 2026.05.15 08:56:48 -07'00'

Date: 5/15/2026

Matt Salazar, P.E.
Manager
Toxics Section
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 9

Complainant and Respondent, having entered into the foregoing Expedited Settlement Agreement, this Agreement shall become effective upon filing.

This Expedited Settlement Agreement and Final Order shall be entered and Respondent shall pay a civil penalty in the amount of $1,400 and comply with any other terms and conditions set forth in this Agreement.

IT IS SO ORDERED.

BEATRICE WONG Digitally signed by BEATRICE WONG
Date: 2026.05.29 11:42:33 -07'00' Date: _____

Beatrice Wong
Regional Judicial Officer
U.S. EPA, Region IX