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U.S. EPA REGION IX  
REGIONAL HEARING CLERK

NANCY J. MARVEL  
Regional Counsel

DAVID H. KIM  
Assistant Regional Counsel  
U. S. Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
San Francisco, CA 94105  
(415) 972-3882

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 HAWTHORNE STREET  
SAN FRANCISCO, CALIFORNIA 94105

_____	)	
In the matter of:	)	
	)	Docket No. FIFRA-9-2010-0015
Logitech, Inc.,	)	
	)	CONSENT AGREEMENT
	)	AND FINAL ORDER
Respondent	)	
_____	)	

1. CONSENT AGREEMENT

Complainant, the Associate Director for Agriculture of the Communities and Ecosystems Division, United States Environmental Protection Agency, Region IX ("EPA Region IX"), and Respondent, Logitech, Inc. ("Respondent") agree to settle this case initiated under the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA" or the "Act"), as amended, 7 U.S.C. §§ 136 et seq., and consent to the entry of this Consent Agreement and Final Order ("CAFO").

A. AUTHORITY

1. EPA Region IX initiated this civil administrative proceeding for the assessment of a civil

penalty under the Act pursuant to section 14(a) of the Act, 7 U.S.C. § 136l(a), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22, by issuing a Complaint and Notice of Opportunity for Hearing (“Complaint”) against Respondent on September 24, 2010.

2. The Complaint alleges that Respondent violated section 12(a)(1)(A) of the Act, 7 U.S.C. § 136j(a)(1)(A), by selling and distributing unregistered pesticides.
3. EPA Region IX and Respondent have agreed to resolve this civil administrative proceeding arising under the Act by executing this CAFO.

#### B. RESPONDENT’S ADMISSIONS

4. In accordance with 40 C.F.R. § 22.18(b)(2) and for the purpose of this proceeding, Respondent (i) admits that EPA has jurisdiction over the subject matter of this CAFO and over Respondent; (ii) neither admits nor denies the specific factual allegations contained in the Complaint; (iii) consents to any and all conditions specified in this CAFO and to the assessment of the civil administrative penalty under Section I.C of this CAFO; (iv) waives any right to contest the allegations contained in the Complaint; and (v) waives the right to appeal the proposed final order contained in this CAFO.

#### C. CIVIL ADMINISTRATIVE PENALTY

5. In settlement of the violations specifically alleged in the Complaint, Respondent shall pay a civil administrative penalty of TWO HUNDRED SIXTY-ONE THOUSAND DOLLARS (\$261,000) within 30 days of the effective date of this CAFO. Payment shall be made by cashier’s or certified check payable to the “Treasurer, United States of America,” and shall be sent by certified mail, return receipt requested, to the following address:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

The payment shall be accompanied by a transmittal letter identifying the case name, the case docket number, and this CAFO. Concurrent with delivery of the payment of the penalty, Respondent shall send a copy of the check and transmittal letter to the following addresses:

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

David H. Kim  
Office of Regional Counsel (ORC-3)  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105

6. Payment of the above civil administrative penalty shall not be used by Respondent or any other person as a tax deduction from Respondent's federal, state, or local taxes.
7. If Respondent fails to pay the civil administrative penalty within 30 days of the effective date of this CAFO, then Respondent shall pay to EPA an additional, stipulated penalty of FIVE HUNDRED DOLLARS (\$500) for each day that payment is late. Upon Complainant's written demand, payment shall immediately become due and payable. In addition, failure to pay the civil administrative penalty within 30 days of the effective date of this CAFO may lead to any or all of the following actions:
  - a. The debt being referred to a credit reporting agency, a collection agency, or to the Department of Justice for filing of a collection action in the appropriate United States District Court. 40 C.F.R. §§ 13.13, 13.14, and 13.33. In any such collection action,

the validity, amount, and appropriateness of the assessed penalty and of this CAFO shall not be subject to review.

- b. The debt being collected by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds. 40 C.F.R. Part 13, Subparts C and H.
- c. EPA may (i) suspend or revoke Respondent's licenses or other privileges; or (ii) suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds. 40 C.F.R. § 13.17.
- d. In accordance with the Debt Collection Act of 1982 and 40 C.F.R. Part 13, interest, penalties charges, and administrative costs will be assessed against the outstanding amount that Respondent owes to EPA for Respondent's failure to pay the civil administrative penalty by the deadline specified in Paragraph 5. Interest will be assessed at an annual rate that is equal to the rate of current value of funds to the United States Treasury (i.e., the Treasury tax and loan account rate) as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. 40 C.F.R. § 13.11(a)(1). Penalty charges will be assessed monthly at a rate of 6% per annum. 40 C.F.R. § 13.11(c). Administrative costs for handling and collecting Respondent's overdue debt will be based on either actual or average cost incurred, and will include both direct and indirect costs. 40 C.F.R. § 13.11(b). In addition, if this matter is referred to another department or agency (e.g., the Department of Justice, the Internal Revenue Service), that department or

agency may assess its own administrative costs, in addition to EPA's administrative costs, for handling and collecting Respondent's overdue debt.

D. CERTIFICATION OF COMPLIANCE

8. In executing this CAFO, Respondent certifies that (1) to the best of its knowledge, it is not currently distributing or selling unregistered pesticides in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A), and (2) to the best of its knowledge, it is currently in compliance with any other FIFRA requirements that may apply to its ongoing operations.

E. RETENTION OF RIGHTS

9. In accordance with 40 C.F.R. § 22.18(c), this CAFO only resolves Respondent's liability for federal civil penalties for the violations of FIFRA and EPA's implementing regulations that relate to the facts specifically alleged in the Complaint. Nothing in this CAFO is intended to or shall be construed to resolve (i) any civil liability for violations of any provision of any federal, state, or local law, statute, regulation, rule, ordinance, or permit not specifically alleged in the Complaint; or (ii) any criminal liability. EPA specifically reserves any and all authorities, rights, and remedies available to it (including, but not limited to, injunctive or other equitable relief or criminal sanctions) to address any violation of this CAFO or any violation not specifically alleged in the Complaint.
10. This CAFO does not exempt, relieve, modify, or affect in any way Respondent's duty to comply with all applicable federal, state, and local laws, regulations, rules, ordinances, and permits.

F. ATTORNEYS' FEES AND COSTS

11. Each party shall bear its own attorneys' fees, costs, and disbursements incurred in this proceeding.

G. EFFECTIVE DATE

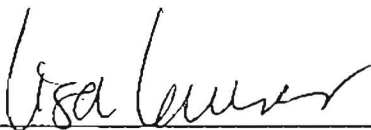
12. In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.31(b), this CAFO shall be effective on the date that the final order contained in this CAFO, having been approved and issued by either the Regional Judicial Officer or Regional Administrator, is filed.

H. BINDING EFFECT

13. The undersigned representative of Complainant and the undersigned representative of Respondent each certifies that he or she is fully authorized to enter into the terms and conditions of this CAFO and to bind the party he or she represents to this CAFO.
14. The provisions of this CAFO shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns.

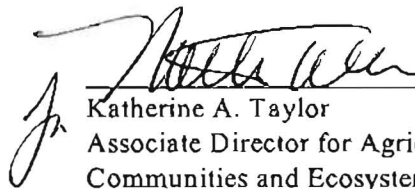
FOR RESPONDENT LOGITECH, INC.:

9/13/11  
DATE

  
By: LISA LAWNER  
Title: ASSOCIATE GENERAL COUNSEL  
Address: LOGITECH INC.  
6505 KAISER  
FREMONT, CA 94555

FOR COMPLAINANT EPA REGION IX:

9/21/2011  
DATE

  
Katherine A. Taylor  
Associate Director for Agriculture  
Communities and Ecosystems Division  
United States Environmental  
Protection Agency, Region IX

75 Hawthorne Street  
San Francisco, California 94105

II. FINAL ORDER

EPA Region IX and Logitech, Inc., having entered into the foregoing Consent Agreement,  
IT IS HEREBY ORDERED that this CAFO (Docket No. FIFRA-9-2010-0015) be entered, and  
Respondent shall pay a civil administrative penalty in the amount of TWO HUNDRED SIXTY-ONE  
THOUSAND DOLLARS (\$261,000) in accordance with the terms set forth in the Consent Agreement.

09/22/11

DATE



STEVEN JAWGIEL  
Regional Judicial Officer  
United States Environmental  
Protection Agency, Region IX



CERTIFICATE OF SERVICE

I certify that the original of the fully executed Consent Agreement and Final Order, (Docket No FIFRA-09-2010-0015) was filed with the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 91405, and that a true and correct copy of the same was sent to the following parties:

A copy was mailed via CERTIFIED MAIL to:

Lisa Launer  
Associate General Counsel  
Legal Department  
Logitech, Inc.  
6505 Kaiser Drive  
Fremont, CA 94555

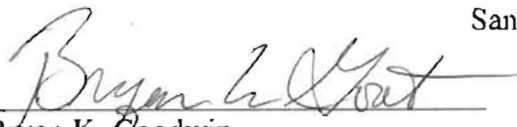
**CERTIFIED MAIL NUMBER: 7010 2780 0000 8388 5807**

And a copy sent regular mail to:

Jeffrey Fort, Esq.  
SNR Denton US LLP  
233 South Wacker Drive, Suite 7800  
Chicago, IL 60606-6306

An additional copy was hand-delivered to the following U.S. EPA case attorney:

David Kim, Esq  
Office of Regional Counsel  
U.S. EPA, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105

  
Bryan K. Goodwin  
Regional Hearing Clerk  
U.S. EPA, Region IX

9/22/11  
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED** 7010 2780 0000 8388 5807

Date: SEP 22 2011

Ms. Lisa Launer  
Associate General Counsel  
Logitech, Inc.  
6505 Kaiser Drive  
Fremont, California 94555

Subject: Logitech, Inc.  
Consent Agreement and Final Order  
Docket No. FIFRA-9-2010-0015

Dear Ms. Launer:

Enclosed please find a Consent Agreement and Final Order (CAFO) concerning violations of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. Sections 136 *et seq.* for the above referenced case. The terms of the CAFO require the payment to be received by EPA within 30 days of the effective date of the CAFO.

If you have any questions, please contact David Kim, Assistant Regional Counsel, telephone number (415) 972-3882.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine A. Taylor".

Katherine A. Taylor  
Associate Director for Agriculture  
Communities and Ecosystems Division

Enclosure

cc: Jeffrey Fort, Esq., SNR Denton US LLP