



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**NEW ENGLAND OFFICE**  
5 Post Office Square, Suite 100  
Boston, Massachusetts 02109-3912

*Dated via electronic signature*

Sharon Wells  
Acting Regional Judicial Officer  
U.S. Environmental Protection Agency-Region 1  
5 Post Office Square, Suite 100 (Mail Code 01-1)  
Boston, MA 02109-3912  
[Wells.Sharon@epa.gov](mailto:Wells.Sharon@epa.gov)

**BY EMAIL**

Re: In the Matter of Phoenix Products Company  
Docket No. FIFRA-01-2021-0030

Dear Ms. Wells:

Attached for your signature in the above referenced matter is a Consent Agreement and Final Order (“CAFO”), signed by all parties, resolving alleged violations of FIFRA Section 12(a)(1)(E), 7 U.S.C. §136j(a)(1)(E), for distributing or selling misbranded pesticides. Please note that, consistent with 40 C.F.R. §§ 22.13(b) and 22.18(b), this CAFO both commences and concludes this matter.

Under the terms of the CAFO, to settle EPA’s penalty claims without admitting or denying the violation, Respondent has agreed to pay a civil monetary penalty of \$33,080. Respondent also certifies that, to the best of its knowledge and belief, it is presently operating in compliance with FIFRA and the FIFRA regulations. Note that, pursuant to the authority granted at 40 C.F.R. § 22.31(c) and after findings by Complainant under 40 C.F.R. §§ 13.11(a)(2) and 13.18.(a), payment in two installments within 60 days of the effective date of the CAFO, with interest, is recommended as appropriate and is in the best interest of the government since this will better ensure timely payment from this Respondent by providing sufficient time to secure and direct monies needed to cover the full amount.

Once the Final Order has been signed, I will file the fully executed CAFO with the Regional Hearing Clerk, thereby resolving this matter. The Parties’ consent to the use of digital signatures (as well as Respondent’s consent to electronic service of the CAFO, once filed) is included in the CAFO. This settlement does not have any public notice requirements.

Respectfully Submitted,

Peter M. DeCambre  
Senior Enforcement Counsel

Enclosures

Cc: Michael L. Miller, Esq., Wiggin and Dana LLP (via email)  
John Haase, Phoenix Products Company (via email)