



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Ref: 8ENF-AT-P

July 27, 2020

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Received by

EPA Region VIII

Hearing Clerk

**SENT VIA ELECTRONIC MAIL**  
**DELIVERY RECEIPT REQUESTED**

From: David Cobb  
Unit Chief, Toxics Enforcement Unit  
Office of Enforcement, Compliance and Environmental Justice

To: U.S. Department of Homeland Security  
Bureau of Customs and Border Protection  
Port of Denver International Airport, Colorado

Subject: Requested action to be taken regarding the Hot Tips Tech Cleaning Wipes in shipment with entry number 791-26738256 FIFRA-08-2020-0046

By this memorandum, the U.S. Environmental Protection Agency, Region 8, is informing the Bureau of Customs and Border Protection of the U.S. Department of Homeland Security that the Hot Tips Tech Cleaning Wipes in the import shipment described below should be **Denied Entry-Refused Delivery** 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. section 12.114. The entry was marked "Hold Intact," "Refused," and "Re-Export" in ACE by the EPA on July 10, 2020.

The following information pertains to the shipment of the Hot Tips Tech Cleaning Wipes:

- The importer is Navajo Manufacturing Company, 5330 Fox Street, Denver, Colorado 80216-1630.
- The manufacturer is Easyclean Company Limited, #669, Jinyuan Road, Yinzhou District, Ningbo, 315000 China.
- The broker is CH Robinson, point of contact is Ginny Smay, [Ginny.Smay@chrobinson.com](mailto:Ginny.Smay@chrobinson.com).
- The airway bill number is COSU6265734130.
- The ship date was July 7, 2020.
- The product is Hot Tips Tech Cleaning Wipes.
- The port of entry is Denver International Airport, Colorado, 3307.

- 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 pesticide is any substance (or mixture of substances) intended for a pesticidal purpose, i.e., use for the purpose of preventing, destroying, repelling, or mitigating any pest or use as a plant regulator, defoliant, or desiccant. “A substance is considered to be intended for a pesticidal purpose, and thus to be a pesticide requiring registration, if ...[t]he person who distributes or sells the substance claims, states, or implies (by labelling or otherwise) ...[t]hat the substance...can or should be used as a pesticide.” (40 C.F.R. § 152.15(a)(1).)

This product, Hot Tips Tech Cleaning Wipes, makes pesticidal claims. Advertisements for this product include the following: “The average smartphone has more germs than a public restroom. Keep yours clean with our Hottips Tech Wipes!” Also, the importer requested that CH Robinson, the broker, use the harmonized tax schedule code 3808945000, Disinfectants: other than aromatic or modified aromatic. Therefore, this product cannot be allowed entry into the United States.

The Agency hereby notifies you that your merchandise has been refused admission. You must export this merchandise, under supervision of the U.S. Customs and Border Protection (CBP), within ninety (90) calendar days from the date of this Notice (or within such time as otherwise specified by EPA) or within such additional time as the District Director of CBP specifies. Failure to do so may result in either the destruction of the merchandise as authorized by the Act, or, if the shipment has been released to you under bond, in any action necessary to enforce the terms of said bond.

On July 10, 2020, the Customs and Border Patrol unit chief at Denver International Airport, Colorado, was informed by the EPA that it would deny entry of this shipment.

Please contact Christine Tokarz, the import enforcement coordinator, by phone at (303) 312-6147 or by email at [tokarz.christine@epa.gov](mailto:tokarz.christine@epa.gov) if you have any questions concerning this matter.