



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Received by
EPA Region VIII
Hearing Clerk

Ref: 8ENF-AT-P

SENT VIA ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED

From: David Cobb
Section Chief, Toxics and Pesticides Enforcement Section
Enforcement and Compliance Assurance Division

To: U.S. Department of Homeland Security
Bureau of Customs and Border Protection
Salt Lake City, Utah 3303

Subject: Requested action to be taken regarding the Renolit Alkorplus Pool Shell Disinfectant in shipment with entry number D99-10838100 FIFRA-08-2021-0014

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 Renolit Alkorplus Pool Shell Disinfectant 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 December 1, 2020.

The following information pertains to the shipment of the Renolit Alkorplus Pool Shell Disinfectant:

- The importer is CEM Aquatics, 3154 S Washington Street, Salt Lake City, Utah 84115-3424.
- The manufacturer is A&T Europe Spa, VIA Solferino 27, Castiglione Delle Stiviere, 46043 Italy.
- The broker is Jas, Atlanta Office, points of contact, Rishma Patel, rishma.patel@jas.com and Myra Cardona, myra.cardona@jas.com.
- The release date was November 23, 2020.
- The airway bill number is MEDULA150209.
- The quantity is 6 1 liter bottles, approximately 13 pounds.
- The port of entry is Salt Lake City, Utah, 3303.
- The country of origin is Italy.

The shipment that arrived at the border for import is in violation of FIFRA section 12(a)(1)(A) (7 U.S.C. § 136j(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 (7 U.S.C. § 136a). 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. (See 40 C.F.R. § 152.15.)

The product that arrived for import Renolit Alkorplus Pool Shell Disinfectant has the following pesticide claims on its label:

- Pool Shell Disinfectant.
- Disinfecting treatment for pool structures.

Therefore, it is an unregistered pesticide and cannot be allowed entry into the United States.

The Agency hereby notifies U.S. Customs and Border Protection that this merchandise has been refused admission and recommends that this merchandise be re-exported or destroyed within 90 calendar days from the date of this Notice. On December 1, 2020, the Customs and Border Patrol unit chief in Salt Lake City, Utah 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 if you have any questions concerning this matter.