



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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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

July 28, 2020
10:19 AM

Received by
EPA Region VIII
Hearing Clerk

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

Subject: Requested action to be taken regarding the Bactive Heavy Duty Cleaning Wipes
in shipment with entry number MFT-27290840 FIFRA-08-2020-0048

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 Bactive Heavy Duty 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 (FIFRA), 7 U.S.C. § 1360(c), and the implementing regulations at 19 C.F.R. section 12.114. On July 6, 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 since it is an unregistered pesticide. The entry was marked "Hold Intact," "Refused," and "Re-Export".

The following information pertains to the shipment of the Bactive Heavy Duty Cleaning Wipes:

- The importer is Zuru LLC, 228 Nevada Street, El Segundo, California, 90245-4210, points of contacts are Monica Zhou monica@zuru.com and Liam Whittaker Liam@zuru.com.
- The manufacturer is Naturecare Cosmetic Company Limited, Number 837, Huanchengbei Road, Fuxi, Stre Deqing County, Huzhou, 313208 China.
- The broker is Mainfreight US Customs Brokerage, point of contact is Cathey Bartholomew Cathey.Bartholomew@mainfreightusa.com.
- The airway bill number is ONEYSH0AB6097700.
- The ship date was July 4, 2020.
- The product is Bactive Heavy Duty Cleaning Wipes.
- The port of entry is Salt Lake City, Utah, 3303.
- 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 the substance consists of or contains one or more active ingredients and has no significant commercially valuable use as distributed or sold other than (1) use for pesticidal purpose (by itself or in combination with any other substance). (40 C.F.R. § 152.15(b))

The label for Bactive Heavy Duty Cleaning Wipes indicates that one of the active ingredients is “chlorhexidine digluconate” a chemical that is the active ingredient in several EPA registered disinfectants. Therefore, this product cannot be allowed entry into the United States.

Please contact Christine Tokarz, EPA Region 8 FIFRA 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.