



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Ref: 8ENF-AT-TP

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DELIVERY RECEIPT REQUESTED

June 15, 2020
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Received by

From: David Cobb **DAVID COBB** Digitally signed by DAVID COBB
Date: 2020.06.15 08:08:24 -06'00'
Section Chief, Toxics and Pesticides Enforcement Section
Enforcement and Compliance Assurance Division

EPA Region VIII
Hearing Clerk

To: U.S. Department of Homeland Security
Bureau of Customs and Border Protection
Port of Pembina, North Dakota

Subject: Requested action to be taken regarding the Chlorantraniliprole 200 SC Insecticide
in shipment identification number of 662F45MSHPM FIFRA-08-2020-0043

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 Chlorantraniliprole 200 SC Insecticide 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 following information pertains to the shipment of the Chlorantraniliprole 200 SC Insecticide:

- The shipment is from Integrated Crops Management Systems, Luanne Anderson, 2375 Saskatchewan Avenue East, Portage La Prairie, Manitoba R1N 4A1, Canada.
- The shipment was going to Hubbard Ag Science, Gordon Newell, 4181 District Road, Bonners Ferry Idaho, 83805.
- The broker was UPS, Pembina, North Dakota.
- The ship date was June 9, 2020.
- The product is approximately 35 milliliters of Chlorantraniliprole 200 SC Insecticide.
- The port of entry is Pembina, North Dakota, 3401.
- The country of origin is Canada.

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 product that makes pesticidal claims is a pesticide, and it must be registered with the EPA prior to distribution or sale. Because this product makes pesticidal claims and is not registered, it cannot be allowed entry into the United States.

On June 11, 2020, the Customs and Border Patrol unit chief in Pembina, North Dakota, 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.