



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
www.epa.gov/region8

Ref: 8ENF-AT-TP

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Date: February 5, 2019

To: U.S. Department of Homeland Security  
Bureau of Customs and Border Protection

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

Subject: Denial of entry requested regarding the importer Arysta LifeScience North America LLC for the shipment with entry number 791-21365261

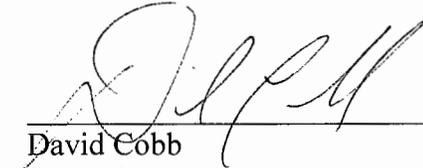
By this memorandum, the U.S. Environmental Protection Agency, Region 8, is informing the Bureau of Customs and Border Protection of the U.S. Department of Homeland Security that the Captan Technical in the import shipment described below should be **denied entry** into the United States pursuant to the 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. § 12.114. An electronic alternative to the Notice of Arrival was filed in the Automated Commercial Environment in accordance with 19 C.F.R. section 12.112.

The following information pertains to the shipment of the Captan Technical pesticide:

- The shipper is Arysta LifeScience North America DB, 240-555 Hervo Street, Winnipeg, R3t-3L6 CA.
- The importer is Arysta LifeScience North America LLC, 15401 Weston Parkway Suite 150, Cary, North Carolina 27513-8640.
- The ship date was January 30, 2019.
- The quantity is 80, 25-kilogram bags, a total of 2000 kilograms.
- The establishment number of the facility in which the pesticide was produced is 79693-CAN-04.
- The product is labeled as Captan Technical.
- The port of entry is Pembina, North Dakota.
- The country of origin is Canada.

The shipment that arrived at the border for import originated from a production facility that was in violation of FIFRA section 12(a)(2)(B), because they failed to prepare, maintain, or submit any records required under section 7. Therefore, these products cannot be allowed entry into the United States.

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.



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David Cobb  
Supervisor  
Technical Enforcement Program  
Office of Enforcement, Compliance and  
Environmental Justice

Sincerely,



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Amy Swanson  
Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance and  
Environmental Justice