



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Received by
EPA Region VIII
Hearing Clerk

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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

Subject: Requested action to be taken regarding the Inline Pure Water Filters in shipment with entry number E37-01136870 FIFRA-08-2021-0013

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 Inline Pure Water Filters 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 Inline Pure Water Filters:

- The importer is Zen Float Company LLC, 5947 S 350 W Murray, Utah 84107-6980, point of contact Martine Prouty, martine@zenfloatco.com.
- The manufacturer is Ningbo LMC Import & Export, Number 1501 Tianton North Road, Ningbo, China.
- The broker is TransGroup Brokerage, 18850 8th Avenue South Suite 100, Seattle, Washington 98148, point of contact, Nancy Delgado, nancyd.lax@transgroup.com.
- The airway bill number is CMDUNBFZ015544.
- The ship date is November 30, 2020.
- The quantity is 3,000 Inline Pure Water Filters, 244 pounds.
- 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 is in violation of FIFRA section 12(a)(2)(L), 7 U.S.C. § 136j(a)(2)(L), which states that it is unlawful for any person who is a producer to violate the provisions of FIFRA section 7(a), 7 U.S.C. § 136e(a), by producing a pesticide or pesticidal

device subject to the Act in an unregistered establishment. 40 C.F.R. § 167.20. (See 40 C.F.R. section 152.500 for requirements for devices.)

Under FIFRA, a device that makes pesticidal claims is a pesticidal device, and it must be produced in an establishment registered with the EPA prior to distribution or sale. Antimicrobial pesticides devices are devices with claims that they can be used to destroy or suppress the growth of harmful microorganisms such as bacteria, viruses, or fungi on inanimate objects and surfaces.

Pesticidal claims made in relation to the Inline Pure Water Filters include, “Media: High Quality Activated Carbon & KDF. Reduces iron content, chlorine taste and odor plus other bad tastes and odor. Bacteriostatic media inhibits bacterial growth within filter.”

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 10, 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.