



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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September 28, 2021

8:36 AM

Received by
EPA Region VIII
Hearing Clerk

Ref: 8ENF-AT-P

SENT BY ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED

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

To: U.S. Department of Homeland Security
Bureau of Customs and Border Protection
Sweetgrass, Montana 3310

Subject: Requested action to be taken regarding the Lysol Wipes in shipment with entry number 8AE-00469200 FIFRA-08-2021-0066

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 products 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 September 27, 2021.

The following information pertains to the shipment:

- The importer and manufacturer is Cold Bore Technology Inc., 5726 Burleigh Cres SE, Calgary, Alberta, T2H1Z8 Canada.
- The consignee is Cold Bore Technology Corporation, 3139 W Holcomb Boulevard, A40, Houston, Texas 77025-1533.
- The broker is Jori Logistics, ramon@jori-logistics.com.
- The bill number is PNHC706109.
- The entry file date was September 17, 2021.
- The quantity is 1 package of Lysol Wipes.
- The port of entry is Sweetgrass, Montana 3310.
- The country of origin as entered in ACE is Canada.

The shipment that arrived at the border is in violation of FIFRA section 12(a)(1)(A) because a registrant, wholesaler, dealer, retailer, or other distributor sold or distributed a pesticide that is not registered under Section 3.

The shipment that arrived at the border for import is in violation of FIFRA section 12(a)(2)(N), 7 U.S.C. § 136j(a)(2)(N), because a registrant, wholesaler, dealer, retailer, or other distributor failed to file reports

required by the Act. As required by 19 C.F.R. section 12.114, a Notice of Arrival of Pesticides and Devices, EPA form 3540-1, and a copy of one product label must be submitted. Neither a Notice of Arrival nor an image of the label was submitted either electronically or via the CBP authorized electronic data interchange system.

Therefore, none of the products referenced above in the shipment with entry number 8AE-00469200 can be allowed entry into the United States.

The Agency hereby notifies U.S. Customs and Border Protection that this merchandise should be refused admission and recommends that this merchandise be re-exported or destroyed within 90 calendar days from the date of this Notice.

On September 27, 2021, the Customs and Border Patrol unit chief in Sweetgrass, Montana, was informed by the EPA that it would deny entry of this shipment.

Please contact Christine Tokarz, the EPA Region 8 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.