



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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September 27, 2021

10:14 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  
Salt Lake City, Utah 3303

Subject: Requested action to be taken regarding the Monolith Surface Disinfection Rapid Foam High RFD 740 ECO Wipes, Monolith Surface Disinfection Rapid Foam High RFD 740 Premium Wipes, Monolith Surface Disinfection Rapid Foam High RFD 740 Value Wipes, and the Monolith Surface Disinfection Rapid Foam High RFD 740 products in shipment with entry number 799-49643125 FIFRA-08-2021-0065

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 22, 2021.

The following information pertains to the shipment:

- The importer and consignee is Nelson Laboratories LLC, 6280 S Redwood Road, Salt Lake City, Utah 84123-6600.
- The manufacturer is Aurel GMBH, Dr. Linck-Weg 140BENSHEIM, Germany.
- The broker is Fed Ex, point of contact, Kathy Cruz, katherine.cruz@fedex.com.
- The bill number is 02086731190-SAF61412565.
- The entry file date was September 14, 2021.
- The quantities are:
  - Monolith Surface Disinfection Rapid Foam High RFD 740 ECO Wipes, 1200 wipes
  - Monolith Surface Disinfection Rapid Foam High RFD 740 Premium Wipes, 1200 wipes
  - Monolith Surface Disinfection Rapid Foam High RFD 740 Value Wipes, 1200 wipes
  - Monolith Surface Disinfection Rapid Foam High RFD 740, 8 gallons

- The port of entry is Salt Lake City, Utah 3303.
- The country of origin as entered in ACE is Germany.

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 799-49643125 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 22, 2021, 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](mailto:tokarz.christine@epa.gov) if you have any questions concerning this matter.