



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

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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

DAVID
COBB

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DAVID COBB
Date: 2020.11.01
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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 Purus Innovations Unit, BSC2HC in shipment with entry number FV9-20035840 FIFRA-08-2021-0006

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 Purus Innovations Unit, BSC2HC 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 Purus Innovations Unit, BSC2HC:

- The importer is Technology To Market Logistics, 120 E Lake Street, Sandpoint, Idaho 83864-1366.
- The manufacturer is Noksystem Company, Jadongchajeongbigongjang 74-5, Geonji-RO, Gawjwa-Dong, Seo-Gu, 22843 South Korea.
- The broker is International Brokerage Inc., point of contact, Marcio Fanti, marcio@ibius.com.
- The airway bill number is 01631566404-AIC203347.
- The ship date is October 28, 2020.
- The quantity are 20 water filters and 10 cartridges, 40 pounds.
- The product is Purus Innovations Unit, BSC2HC.
- The port of entry is Salt Lake City, Utah 3303.
- The country of origin is South Korea.

The shipment that arrived at the border for import was 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. Pesticidal claims made in relation to the Purus Innovations Unit, BSC2HC include:

1. Sanitization System, the cooling system will sanitize upon demand. The cold system sanitization system is user controlled to keep the cooling system free from contaminant build up.
2. SANITIZATION BUTTON: Press Sanitization Button to start sanitization cycle. (Please note that there may be a small amount of water (approx. 1 oz) from the dispense nozzle during sanitization cycle}
3. SANITIZATION LED: ON during sanitization cycle. When activated, cold water will not dispense.
4. SANITIZATION: This unit is equipped with a manually activated sanitization system. This sends hot water through the cooling system tank and lines to prevent secondary contamination of the filtered water.
 - Press the Sanitization Button for 3 seconds to activate. This will clean the water system once a month to maintain good water quality.
 - The sanitization cycle could take up to 5 hours, depending on ambient water temperature so it is best to activate during non-use hours. Please note: As a safety precaution, cold water will not dispense during sanitization cycle.
 - Upon completion, the sanitization LED will remain on and unit will not dispense cold water until the cold-water temperature reaches 50F. Even when sanitization cycle is cancelled, cold water must reach 50F before it can be dispensed.
 - Once the cooling system reaches 50F, the sanitization LED will turn off and cold water can be dispensed. Please note that cold water dispense volume may be less than expected until fully cooled.
 - A small amount of water (approx. 1 oz) will drip from the dispense nozzle into the drip tray during the sanitization cycle due to pressure within the system. This is not a system malfunction.

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 October 30, 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.