



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 24 2017

REPLY TO THE ATTENTION OF:

LC-17J

VIA EMAIL

Mr. Scott Crichton
c/o Mr. John Ferroli
Member
Dykema Gossett PLLC
300 Ottawa Avenue, N.W., Suite 700
Grand Rapids, Michigan 49503

JFerroli@dykema.com

Consent Agreement and Final Order In the Matter of Cul-Mac Industries, Inc.
Docket Number **FIFRA-05-2017-0011**

Mr. Crichton:

Enclosed please find a copy of a fully executed Consent Agreement and Final Order in resolution of the above case. This document was filed on *March 24, 2017* with the Regional Hearing Clerk.

The civil penalty in the amount of \$40,582 is to be paid in the manner described in paragraphs 75 and 76. Please be certain that the docket number is written on both the payment notification letter and on the electronic transfer comment or description field. Payment is due within 30 calendar days of the filing date.

Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Claudia Niess".

Claudia Niess
Pesticides and Toxics Compliance Section

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:

Cul-Mac Industries, Inc.
Wayne, Michigan,

Respondent.



Docket No. FIFRA-05-2017-0011

Proceeding to Assess a Civil Penalty
Under Section 14(a) of the Federal
Insecticide, Fungicide, and Rodenticide
Act, 7 U.S.C. § 136l(a)

Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. § 136l(a), and Sections 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules) as codified at 40 C.F.R. Part 22.
2. The Complainant is the Director of the Land and Chemicals Division, United States Environmental Protection Agency (EPA), Region 5.
3. Respondent is Cul-Mac Industries, Inc., a corporation doing business in the State of Michigan.
4. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).
5. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

6. Respondent consents to the assessment of the civil penalty specified in this CAFO, and to the terms of this CAFO.

Jurisdiction and Waiver of Right to Hearing

7. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.

8. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO and its right to appeal this CAFO.

9. Respondent certifies that it is complying with FIFRA, 7 U.S.C. §§ 136-136y.

Statutory and Regulatory Background

10. Section 12(a)(1)(B) of FIFRA, 7 U.S.C. § 136j(a)(1)(B), states in part that it is unlawful for any person in any state to distribute or sell to any person any registered pesticide if any claims made for it as part of its distribution or sale substantially differ from any claims made for it as a part of the statement required in connection with its registration under Section 3 of FIFRA.

11. Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), states in part that it is unlawful for any person in any state to distribute or sell to any person any pesticide which is misbranded.

12. A “pesticide” is, among other things, any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest. 7 U.S.C. § 136(u).

13. A “pest” is any insect, rodent, nematode, fungus, weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism which the Administrator of EPA declares to be a pest under Section 25(c)(1) of FIFRA, 7 U.S.C. § 136w(c)(1). 7 U.S.C. § 136(t).

14. A substance is considered to be intended for a pesticidal purpose, and thus to be a pesticide requiring registration, if the person who distributes or sells the substance claims, states, or implies (by labeling or otherwise) that the substance can or should be used as a pesticide. 40 C.F.R. § 152.15(a)(1).

15. Section 2(s) of FIFRA, 7 U.S.C. § 136(s), defines a “person” as any individual, partnership, association, corporation, or any organized group of persons whether incorporated or not.

16. Section 2(y) of FIFRA, 7 U.S.C. § 136(y), defines a “registrant” as a person who has registered any pesticide pursuant to the provisions of FIFRA.

17. Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg), defines the term “distribute or sell” to mean to distribute, sell, offer for sale, hold for distribution, hold for sale, hold for shipment, ship, deliver for shipment, release for shipment, or receive and (having so received) deliver or offer to deliver. 7 U.S.C. § 136(gg).

18. Section 2(q)(1)(A) of FIFRA, 7 U.S.C. § 136(q)(1)(A), states a pesticide is “misbranded” if its labeling bears any statement, design, or graphic representation relative thereto or its ingredients which is false or misleading.

19. 40 C.F.R. § 156.10(a)(5)(ii) provides that the term “false and misleading” includes false or misleading statements concerning the effectiveness of the product.

20. Section 2(q)(1)(E) of FIFRA, 7 U.S.C. § 136(q)(1)(E), states, in pertinent part, a pesticide is “misbranded” if any word, statement, or other information required by or under the authority of FIFRA to appear on the label or labeling is not prominently placed thereon.

21. Section 12(a)(2)(S) of FIFRA, 7 U.S.C. § 136j(a)(2)(S), states in part that it is unlawful for any person in any state to violate any regulation issued under Section 19 of FIFRA.

22. Section 19(e) of FIFRA, 7 U.S.C. § 136q(e), states in part that the Administrator shall promulgate regulations for the design of pesticide containers that will promote the safe storage and disposal of pesticides.

23. The Administrator promulgated such regulations at 40 C.F.R. Part 156, Subpart H. See 71 Fed. Reg. 47420 (August 16, 2006), as amended at 73 Fed. Reg. 64224 (October 29, 2008).

24. 40 C.F.R. § 156.10(i)(2)(ix) states that the directions for use shall include specific directions concerning the storage, residue removal and disposal of the pesticide and its container, in accordance with 40 C.F.R. Part 156, Subpart H.

25. 40 C.F.R. § 156.140 states in pertinent part, that for nonrefillable containers, the language “nonrefillable container” must be placed on the label or container along with appropriate reuse and recycling or reconditioning statements and that for refillable containers, the language “refillable container” must be placed on the label or container along with appropriate refilling and cleaning instructions.

26. The Administrator of EPA also promulgated regulations under FIFRA at 40 C.F.R. Part 152.

27. 40 C.F.R. § 152.132 states that a registrant may distribute or sell his registered product under another person’s name and address instead of (or in addition to) his own. Such distribution and sale is termed “supplemental distribution” and the product is referred to as a “distributor product.” The distributor is considered an agent of the registrant for all intents and purposes under the Act, and both the registrant and the distributor may be held liable for violations pertaining to the distributor product.

28. Supplemental distribution is permitted upon notification to the Agency if all the following conditions, among others, are met:

- (d) The label of the distributor product is the same as that of the registered product except that:
 - (1) The product name of the distributor product may be different (but may not be misleading);
 - (2) The name and address of the distributor may appear instead of that of the registrant;
 - (3) The registration number of the registered product must be followed by a dash, followed by the distributor's company number (obtainable from the Agency upon request);
 - (4) The establishment number must be that of the final establishment at which the product was produced; and
 - (5) Specific claims may be deleted, provided that no other changes are necessary.

29. A condition of supplemental distribution is that the label of the distributor product is the same as that of the registered product, except for the differences set forth in 40 C.F.R.

§ 152.132(d).

30. The Administrator of EPA may assess a civil penalty against any registrant, commercial applicator, wholesaler, dealer, retailer, or other distributor who violates any provision of FIFRA of up to \$7,500 for each offense that occurred after January 12, 2009, through November 2, 2015, pursuant to Section 14(a)(1) of FIFRA, 7 U.S.C. § 136l(a)(1), and 40 C.F.R. Part 19.

Factual Allegations and Alleged Violations

31. Respondent is a "person" as defined at Section 2(s) of FIFRA, 7 U.S.C. § 136(s).

32. Respondent owned or operated a place of business located at 3720 Venoy Road, Wayne, Michigan 48184 during calendar years 2013 and 2014.

33. The EPA company number assigned to Respondent is 61903.

34. On August 27 and September 2, 2014, two inspectors employed by the Michigan Department of Agriculture and Rural Development and authorized to conduct inspections under FIFRA conducted an inspection at Respondent's place of business in Wayne, Michigan. The inspectors began the establishment inspection on August 27, 2014, and returned on September 2, 2014.

DCT Universal Sanitizer

35. During the inspection, the inspectors collected shipping records, a bin label, production records, an affidavit and photographs on September 2, 2014, for the pesticide product DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12719.

36. DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12719, is a "pesticide" as defined at Section 2(u) of FIFRA, 7 U.S.C. § 136(u).

37. DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12719, is a distributor product name listed for the registered product Sunny Sol 150, EPA Reg. No. 1744-20001, in a Notice of Supplemental Distribution of a Registered Pesticide Product (Notice of Supplemental Distribution) by Diversified Chemical Technologies, Inc. (Diversified) and JCI Jones Chemicals, Inc. (JCI) submitted to the EPA for Sunny Sol 150 on or about May 6, 2002.

38. JCI had registered the product Sunny Sol 150 on or about March 18, 1994; and EPA subsequently assigned EPA Registration Number 1744-20001 to that product.

39. At all times relevant to this CAFO, Respondent repackaged Sunny Sol 150 into 1 gallon containers for Diversified.

40. On or about March 16, 2001, EPA accepted, with comments, a label for Sunny Sol 150, EPA Reg. No. 1744-20001, under Section 3 of FIFRA.

41. EPA later received a notification of a revision to the "Storage and Disposal" statement in the accepted label of Sunny Sol, EPA Reg. No. 1744-20001, on or about December 24, 2009.

42. The May 6, 2002, Notice of Supplemental Distribution, among other things, specified that the labeling for the distributor product must bear the same claims as the basic product, provided, however, that specific claims may be deleted if by doing so, no other changes to the label are necessary.

43. The bin label of DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12719, collected during the inspection bore the following false and misleading statement concerning the effectiveness of the product as a pesticide or device, per 40 C.F.R. § 156.10(a)(5)(ii), that is not on the accepted label for Sunny Sol 150, EPA Reg. No. 1744-20001: "Professional Line."

44. The bin label of DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12719, collected during the inspection bore the following claims that substantially differ from the claims made for Sunny Sol 150, EPA Reg. No. 1744-20001, accepted by EPA as part of its registration under Section 3 of FIFRA in the March 16, 2001 accepted label, and are not on the accepted label for Sunny Sol 150, EPA Reg. No. 1744-2001:

"Institutional / Food Service"

"Single Sanitizer for use in Warewash and Manual Sanitizing applications."

"For use on food contact surfaces in a concentration range of 25 ppm to 100 ppm."

"Warewashing and manual applications dispensed via calibrated dosing equipment."

"Can be used as a non food contact surface disinfectant at 400 ppm."

"This product meets organic use guidelines."

"Use DCT Universal Sanitizer to sanitize previously cleaned, hard nonporous food contact surfaces. For use in Food Service Establishments, Food Preparation Establishments and Areas, Commercial Kitchens, Food Storage Areas, Restaurants, Bars, Commercial Catering and other types of food production facilities. It is designed for use in both Manual and Warewash Applications to sanitize previously cleaned non porous food contact surfaces[.] This product should be used as the final step in a Wash, Rinse, and Sanitize application and be allowed to air dry. A potable water rinse is not allowed

when used to sanitize food contact surfaces. Used as the third step sanitizer the proper concentration. Prepare a 100 ppm solution by mixing 1 oz of this product with 10 gallons of water. Check the concentration of this product that has been dispensed via proportioning equipment buy [sic] testing solution with the proper test kit and prepared solution. This product meets guidelines for use with Organic Cleaning Standards.”

45. On or about March 28, 2013, Respondent distributed or sold 576 gallons of DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12179, to Diversified, shipping them to Proctor and Gamble Warehouse, located at 3049 Westway Drive, Edwardsville, Illinois 62025.

46. On or about October 3, 2013, Respondent distributed or sold 400 gallons of DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12179, to Diversified, shipping them to West Way Warehouse, located at 3101B Westway Drive, Edwardsville, Illinois 62025.

47. The bin label collected during the inspection was representative of the label affixed to the quantities of DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12179, Respondent distributed or sold on the two occasions discussed at paragraphs 45 and 46.

48. On those two occasions, Respondent distributed or sold DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12179, with a label that bore claims which substantially differed from claims accepted as part of its registration under FIFRA and that was misbranded, as defined at Section 2(q)(1)(A) of FIFRA, 7 U.S.C. § 136(q)(1)(A), because the labels bore a false and misleading statement.

49. Respondent’s distribution or sale of DCT Universal Sanitizer, EPA Reg. No. 1744-20001-12179, on those two occasions constitute two unlawful acts pursuant to Sections 12(a)(1)(B) and (E) of FIFRA, 7 U.S.C. §§ 136j(a)(1)(B) and (E).

Tech Group Bleach and Disinfectant

50. During the inspection, the inspectors collected a bin label on August 27, 2014; photographs on September 2, 2014; and shipping records, production records, and affidavits on both days for the pesticide product Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1.

51. Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, is a “pesticide” as defined at Section 2(u) of FIFRA, 7 U.S.C. § 136(u).

52. On or about March 22, 2011, EPA accepted, with comments, a label for Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, under Section 3 of FIFRA.

53. The bin label of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, collected during the inspection did not bear the First Aid Statement approved by EPA in the March 22, 2011 accepted label. It omitted the hotline information, the caption “HOT LINE NUMBER” and the sentence “You may contact 1-800-222-1222 for emergency medical treatment information;” and presented information in a different sequence.

54. The bin label of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, collected during the inspection did not bear the Hazards to Humans and Domestic Animals Statement approved by EPA in the March 22, 2011 accepted label. Among other differences, it did not mention the irreversible nature of eye damage and skin burns; and did not instruct users to wear coveralls worn over long sleeved shirts, long pants, socks and chemically resistant footwear, gloves and, when mixing, apron, or to remove and wash contaminated clothing before reuse.

55. The bin label of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, collected during the inspection contained the following language in the first paragraph of the Storage and Disposal precautionary statement that is not on the March 22, 2011 accepted label: “Do not reuse empty container but place in trash collection;” and omitted the instructions

approved by EPA in the March 22, 2011 accepted label for NON-REFILLABLE CONTAINER and CONTAINER CLEANING.

56. The bin label of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, collected during the inspection did not bear the container disposal directions approved by EPA in the March 22, 2011 accepted label and required by 40 C.F.R. § 156.140.

57. The bin label of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, collected during the inspection omitted the following statement approved by EPA in the March 22, 2011 accepted label: SHIP AND STORE THIS CONTAINER IN AN UPRIGHT POSITION AT ALL TIMES. VENTED CAP MAY LEAK, CAUSING BLEACHING AND DAMAGE.

58. On or about April 23, 2013, Respondent distributed or sold 1,176 gallons of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, to Advanced Laboratories, located at 13201 Prospect Road, Dearborn, Michigan 48126.

59. On or about April 23, 2013, Respondent distributed or sold 336 gallons of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, to Sun Valley Foods Co., located at 14401 Dexter, Detroit, Michigan 48238.

60. On or about April 5, 2013, Respondent distributed or sold 336 gallons of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, to Lower Huron Supply Co., located at 5595 Treadwell, Wayne, Michigan 48184.

61. On or about January 23, 2013, Respondent distributed or sold 336 gallons of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, to Lower Huron Supply Co., located at 5595 Treadwell, Wayne, Michigan 48184.

62. The bin label collected during the inspection was representative of the label affixed to the quantities of Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, which were distributed or sold on the four occasions discussed at paragraphs 58-61 above.

63. On those four occasions, Respondent distributed or sold Tech Group Bleach and Disinfectant, EPA Reg. No. 61903-1, with a label that bore claims which substantially differed from the claims accepted as part of its registration under FIFRA and which did not bear the container disposal directions required by 40 C.F.R. § 156.140.

64. Respondent's distribution or sale of Tech Group Bleach and Disinfectant on those four occasions constitute four unlawful acts under Sections 12(a)(1)(B) and (2)(S) of FIFRA, 7 U.S.C. §136j(a)(1)(B) and (2)(S).

Tech Group Pool Sanitizer Plus

65. During the inspection, the inspectors collected shipping records, a bin label, and production records on August 27, 2014; photographs on September 2, 2014; and affidavits both days for the pesticide product Tech Group Pool Sanitizer Plus, EPA Reg. No. 61903-20001.

66. Tech Group Pool Sanitizer Plus, EPA Reg. No. 61903-20001, is a "pesticide" as defined at Section 2(u) of FIFRA, 7 U.S.C. § 136(u).

67. Respondent registered Tech Group Pool Sanitizer Plus with EPA on or about May 19, 2005; and EPA subsequently assigned EPA Registration number 61903-20001 to that product.

68. On or about March 22, 2011, EPA accepted, with comments, a label for Tech Group Pool Sanitizer Plus, EPA Reg. No. 61903-20001, under Section 3 of FIFRA.

69. The bin label of Tech Group Pool Sanitizer Plus, EPA Reg. No. 61903-20001, the inspectors collected during the inspection did not bear the following statements approved by

EPA in the March 22, 2011 accepted label: "SHIP AND STORE THIS CONTAINER IN AN UPRIGHT POSITION AT ALL TIMES. VENTED CAP MAY LEAK, CAUSING BLEACHING AND DAMAGE." and "Available chlorine... 11.9 %"

70. On or about July 18, 2014, Respondent distributed or sold 576 gallons of Tech Group Pool Sanitizer Plus, EPA Reg. No. 61903-20001, to Pool Site, located at 33047 Ford Road, Garden City, Michigan 48135.

71. The bin label collected during the inspection was representative of the label affixed to the quantities of Tech Group Pool Sanitizer Plus, EPA Reg. No. 61903-20001, which Respondent distributed or sold on the occasion discussed in paragraph 70.

72. On that occasion, Respondent distributed or sold Tech Group Pool Sanitizer Plus, EPA Reg. No. 61903-20001, which was misbranded, as defined at Section 2(q)(1)(E) of FIFRA, 7 U.S.C. § 136(q)(1)(E), because two required statements were not prominently placed on its labels.

73. Respondent's distribution or sale of Tech Group Pool Sanitizer Plus, EPA Reg. No. 61903-20001, to Pool Site on that one occasion constitutes an unlawful act pursuant to Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E).

Civil Penalty

74. Pursuant to Section 14(a)(4) of FIFRA, 7 U.S.C. § 136l(a)(4), Complainant determined that an appropriate civil penalty to settle this action is \$40,582. In determining the penalty amount, Complainant considered the appropriateness of the penalty to the size of Respondent's business, the effect on Respondent's ability to continue in business, and the gravity of the violation. Complainant also considered EPA's FIFRA Enforcement Response Policy, dated December 2009.

75. Within 30 days after the effective date of this CAFO, Respondent must pay a \$40,582 civil penalty for the FIFRA violations by electronic funds transfer, payable to

“Treasurer, United States of America,” and sent to:

Federal Reserve Bank of New York
ABA No. 021030004
Account No. 68010727
33 Liberty Street
New York, New York 10045
Field Tag 4200 of the Fedwire message should read:
“D 68010727 Environmental Protection Agency”

In the comment or description field of the electronic funds transfer, state Cul-Mac Industries, Inc., and the docket number of this CAFO.

76. Respondent must send a notice of payment that states Respondent’s name and the case docket number to EPA at the following addresses when it pays the penalty:

Regional Hearing Clerk (E-19J)
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Claudia Niess (LC-8J)
Pesticides and Toxics Compliance Section
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Maria Gonzalez (C-14J)
Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

77. This civil penalty is not deductible for federal tax purposes.

78. If Respondent does not pay timely the civil penalty, EPA may refer the matter to the Attorney General who will recover such amount by action in the appropriate United States

district court under Section 14(a)(5) of FIFRA, 7 U.S.C. § 136l(a)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

79. Pursuant to 31 C.F.R. § 901.9, Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any amount overdue from the date payment was due at a rate established by the Secretary of the Treasury. Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. In addition, Respondent must pay a 6 percent per year penalty on any principal amount 90 days past due.

General Provisions

80. Consistent with the “Standing Order Authorizing E-Mail Service of Order and Other Documents Issued by the Regional Administrator or Regional Judicial Officer Under the Consolidated Rules,” dated March 27, 2015, the parties consent to service of this CAFO by e-mail at the following valid e-mail addresses: gonzalez.maria@epa.gov (for Complainant), and JFerroli@dykema.com (for Respondent). The parties waive their right to service by the methods specified in 40 C.F.R. § 22.6.

81. This CAFO resolves only Respondent’s liability for federal civil penalties for the violations and facts alleged in the CAFO.

82. This CAFO does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

83. This CAFO does not affect Respondent’s responsibility to comply with FIFRA and other applicable federal, state and local laws.

84. This CAFO is a “final order” for purposes of EPA’s FIFRA Enforcement Response Policy.

85. The terms of this CAFO bind Respondent, its successors and assigns.


86. Each person signing this agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

87. Each party agrees to bear its own costs and attorneys fees, in this action.

88. This CAFO constitutes the entire agreement between the parties.

Cul-Mac Industries, Inc., Respondent

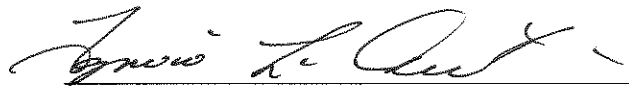
3-6-2017
Date



Scott Crichton
Vice-President
Cul-Mac Industries, Inc.

United States Environmental Protection Agency, Complainant

March 23, 2017
Date



Ignacio L. Arrázola
Acting Director
Land and Chemicals Division

In the Matter of:
Cul-Mac Industries, Inc.
Docket No. FIFRA-05-2017-0011

Final Order

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

March 24, 2017
Date

Ann L. Coyle
Ann L. Coyle
Regional Judicial Officer
United States Environmental Protection Agency
Region 5

Consent Agreement and Final Order
In the matter of: Cul-Mac Industries, Inc.
Docket Number: **FIFRA-05-2017-0011**

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number **FIFRA-05-2017-0011**, which was filed on March 24, 2017 in the following manner to the following addressees:

Copy by E-mail to Attorney for Respondent: John Ferroli
JFerroli@dykema.com

Copy by E-mail to Attorney for Complainant: Maria Gonzalez
gonzalez.maria@epa.gov

Copy by E-mail to Regional Judicial Officer: Ann Coyle
coyle.ann@epa.gov

Dated: March 24, 2017 
LaDawn Whitehead
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5