



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

2019 SEP 10 AM 8:36

FILED
EPA REGION VIII
HEARING CLERK

SEP 10 2019

Ref: 8ENF-AT-P

MEMORANDUM

SUBJECT: Notice of Refusal of Admission regarding the Dutrion with shipment entry number CIU-61068726
Docket No. **FIFRA-08-2019-0017**

FROM: Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division

TO: U.S. Department of Homeland Security
Bureau of Customs and Border Protection
Port of Pembina, North Dakota

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 Dutrion 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. § 12.114. An electronic alternative to the Notice of Arrival was filed in the Automated Commercial Environment in accordance with 19 C.F.R. section 12.112. The entry was marked "Hold Intact," "Refused" and "Re-Export" in ACE by the EPA on September 3, 2019.

The following information pertains to the shipment of Dutrion:

- The importer is NutriQuest LLC, 3782 9th Street SW, Mason City, Iowa, 50401.
- The broker is Cole International USA Inc., 222 South 5th Street, Pembina, North Dakota, 58271.
- The entry number is CIU-61068726.
- The shipper is Dutrion North America LTD, 223077 Highway 611, Ferintosh, AB T0B 1M0.
- The Brand Name of the product is Dutrion, with EPA Registration Number 89492-2.
- The Establishment Number is 90133-CHN-001.
- The port of entry is 3403, Portal, North Dakota.
- The country of origin is the China.

The shipment that arrived at the border for import originated from a production facility that was in violation of FIFRA section 12(a)(2)(B)(i), in that they refused to PREPARE, MAINTAIN, or SUBMIT any RECORDS required under sections 5, 7ⁱⁱ, 8, 11, or 19. Therefore, this products cannot be allowed entry into the United States.

This product cannot be allowed entry into the United States and should be exported. On September 3, 2019, the Customs and Border Patrol unit chief in Portal, North Dakota, 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.

SEP 10 10 30 AM '08

SEP 10 10 30 AM '08

COPIES-BC-ADVIS