



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

June 15, 2020  
5:51 AM

Received by  
EPA Region VIII  
Hearing Clerk

Ref: 8ENF-AT-TP

**SENT BY ELECTRONIC MAIL**  
**DELIVERY RECEIPT REQUESTED**

**DAVID COBB** Digitally signed by DAVID COBB  
Date: 2020.06.11 09:09:10 -06'00'

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

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

Subject: Requested action to be taken regarding the 20 Liter Pail of Anolyte Disinfectant  
in shipment with entry number SCS-06739827 FIFRA-08-2020-0041

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 EnviroNize Anolyte Multi-Use Disinfectant 500 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 June 8, 2020.

The following information pertains to the shipment of the 20 Liter Pail of Anolyte Disinfectant:

- The importer is UPS Supply Chain Solutions, Pembina, North Dakota.
- The manufacturer is Warehouse Supply Inc, 10-975 Sherwin Road, Winnipeg, Manitoba R3H 0T8, Canada.
- The consignee is Fancy Feathers Maid, 2065 Lenticular Drive, Sparks, Nevada 89441-4863.
- The point of contact at Warehouse Supply is Jason Zdrill, Jason@WAREHOUSESUPPLY.CA.
- The ship date was June 6, 2020.
- The product is 20 Liter Pail of Anolyte Disinfectant.
- The port of entry is Pembina, North Dakota 3401.
- The country of origin is Canada.

The shipment that arrived at the border for import was in violation of FIFRA section 12(a)(1)(A), which states that it is unlawful for any person to distribute or sell any pesticide that is not registered under section 3 of FIFRA. Under FIFRA, a product that makes pesticidal claims is a pesticide, and it must be registered with the EPA prior to distribution or sale. This product, 20 Liter Pail of Anolyte

Disinfectant, makes pesticidal claims. Therefore, this product cannot be allowed entry into the United States.

On June 8, 2020, the Customs and Border Patrol unit chief in Pembina, 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](mailto:tokarz.christine@epa.gov) if you have any questions concerning this matter.