

F I L E D
 Jul 17 2019
 Clerk, Environmental Appeals Board
 INITIALS *rd*

**ENVIRONMENTAL APPEALS BOARD
 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 WASHINGTON, D.C.**

 In re:)
)
 Douglas Products and Packaging)
 Company, LLC)
)
)
)
 _____)

Docket No. FIFRA-HQ-2019-5002

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FINAL ORDER

On May 21, 2019, the U.S. Environmental Protection Agency’s (“EPA”) Office of Civil Enforcement, Waste and Chemical Enforcement Division filed a Complaint and Notice of Opportunity for Hearing (“Complaint”) against Douglas Products and Packaging Company, LLC (“Douglas”), alleging that Douglas had distributed and sold misbranded pesticides in violation of section 12(a)(1)(E) of the Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”). The Complaint sought a penalty of \$143,500.

EPA’s Consolidated Rules of Practice, codified at 40 C.F.R. part 22, govern this administrative enforcement proceeding. Pursuant to 40 C.F.R. § 22.18(a), a respondent may opt for a quick resolution of an enforcement proceeding at any time by paying the penalty proposed in the complaint. *See* 40 C.F.R. § 22.18(a)(1), (2). The rules further provide that upon payment in full of the penalty, in cases initiated at EPA Headquarters, the Environmental Appeals Board (“Board”) must issue a final order. 40 C.F.R. § 22.18(a)(3).

On July 9, 2019, EPA’s Office of Enforcement and Compliance Assurance notified the Board that EPA has received full payment of the penalty (\$143,500) from Douglas to resolve the

above-captioned matter. Payment by Douglas constituted a waiver of Douglas's rights to contest the allegations in the Complaint and to appeal this Final Order. See 40 C.F.R. § 22.18(a)(3). In accordance with 40 C.F.R. § 22.18(a)(3), the above-captioned matter is hereby

RESOLVED.

So ordered.¹

ENVIRONMENTAL APPEALS BOARD

Date: July 17, 2019

By:  _____

Aaron P. Avila
Environmental Appeals Judge

¹ The three-member panel deciding this matter is composed of Environmental Appeals Judges Aaron P. Avila, Mary Kay Lynch, and Kathie A. Stein.

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Final Order* in the matter of Douglas Products and Packaging Company, LLC, Docket No. FIFRA-HQ-2019-5002, were sent to the following persons in the manner indicated:

By Interoffice Mail

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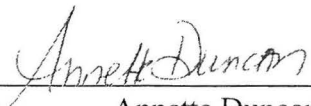
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Dated: **Jul 17 2019**



Annette Duncan
Administrative Specialist

