

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

25 MAY -1 PM 3:25

REGIONAL HEARING CLERK
EPA REGION VI

In the Matter of

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Myllenn, LLC,
dba My Sasun African Grocery

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Docket No. FIFRA-06-2025-0364

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Respondent.

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STOP SALE, USE, OR REMOVAL ORDER

A. PRELIMINARY STATEMENT

1. This Stop Sale, Use, or Removal Order (the "Order" or "SSURO") is issued pursuant to the authority of Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA" or the "Act"), 7 U.S.C. § 136k(a), as amended. Section 13(a) of FIFRA, 7 U.S.C. § 136k(a), authorizes the Administrator of the U.S. Environmental Protection Agency to issue an order prohibiting the sale, use, or removal of any pesticide or device by any person who owns, controls, or has custody of such pesticide or device whenever there is reason to believe that, *inter alia*, the pesticide or device is in violation of any provision of FIFRA, or the pesticide or device has been or is intended to be distributed or sold in violation of any provision of FIFRA, or when the registration has been cancelled by a final order.

2. Complainant is the United States Environmental Protection Agency, Region 6 ("EPA"). On behalf of the Administrator and the Regional Administrator, EPA, Region 6, the Director of the Enforcement and Compliance Assurance Division, EPA Region 6, has been delegated the authority to issue orders under Section 13(a) of the Act, 7 U.S.C. § 136k(a).

3. Myllenn, LLC dba My Sasun African Grocery ("Respondent") is a limited liability company doing business in the State of Texas. Respondent is a "person" as defined in Section 2(s) of FIFRA, 7 U.S.C. § 136(s).

B. STATUTORY AND REGULATORY BACKGROUND

4. Congress enacted FIFRA, 7 U.S.C. 136 *et seq.*, in 1947 and amended it in 1972 and in 1996. The general purpose of FIFRA is to provide the basis for regulation, sale, distribution and use of pesticides in the United States.

5. Section 12(a)(2) of FIFRA, 7 U.S.C. § 136j(a)(2), provides that it shall be unlawful for any person to violate any order issued under Section 13 of FIFRA.

6. Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A), provides that it is unlawful for any person in any State to distribute or sell to any person any pesticide that is not registered under Section 3 of FIFRA, 7 U.S.C. § 136a.

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

8. Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg), defines "to distribute or sell" as 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.

9. Section 2(u) of FIFRA, 7 U.S.C. § 136(u), defines "pesticide" as, *inter alia*, any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating

any pest and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

10. Section 2(t) of FIFRA, 7 U.S.C. § 136(t), defines “pest” as: (1) any insect, rodent, nematode, fungus, weed, or (2) any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria, or other micro-organism on or in living man or other living animals) which the Administrator declares to be a pest under Section 25(c)(1).

11. The regulations at 40 C.F.R. § 152.15(a)(1) and (b) further define the term “pesticide” as any substance intended for a pesticidal purpose, and thus 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; or the substance consists of or contains one or more active ingredients and has no significant commercially valuable use as distributed or sold other than use for pesticidal purpose.

12. Section 2(p)(1) of FIFRA, 7 U.S.C. § 136(p)(1), defines “label” as the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers.

13. Section 2(p)(2) of FIFRA, 7 U.S.C. § 136(p)(2), defines “labeling” as all labels and all other written, printed, or graphic matter – (A) accompanying the pesticide or device at any time; or (B) to which reference is made on the label or in literature accompanying the pesticide except to current official publications . . . authorized by law to conduct research in the field of pesticides.

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

C. BASIS FOR THE ORDER

15. Respondent is a retailer of imported African products. Respondent owns and operates an internet website (URL: <https://mysasun.com/>) and two facilities located at 1922 Choate Parkway, Suite 135, Celina, Texas 75009 (the "Celina Facility"), and 19980 Franz Road, Katy, Texas 77449.

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

17. Pursuant to Section 9 of FIFRA, 7 U.S.C. § 136g, on March 12, 2025, EPA conducted an onsite inspection (the "Inspection") of the Celina Facility, to determine Respondent's compliance with FIFRA and the federal regulations promulgated thereunder.

18. During the Inspection, EPA identified and reviewed the labels of the following products that were being held in inventory for distribution or sale at the Celina Facility:

- a. Dabur Advanced Odomos Mosquito Repellent Cream
- b. Flyforce
- c. Green Leaf Powder Cockroach and Ant Killing Bait
- d. Jik Multipurpose Bleach
- e. Lidegao Cockroach and Ant
- f. Pestox 2% Cypermethrin The Powder Insect Killer
- g. Pushout Rat Poison
- h. Raid Multi-Purpose Insect Killer
- i. Raidforce

- j. Sniper 1000EC DDVP
- k. Sniper Cockroach Killer
- l. Sniper Crawling Insect Killer
- m. Sniper Flying Insect Killer
- n. Sniper Multipurpose Insect Killer
- o. Tetmosol Protect Plus Antiseptic Disinfectant
- p. Viva Plus Laundry Sanitizer Detergent Powder

(the "Products").

19. Labeling, advertising, and other marketing materials for the Products included, but was not limited to the following claims:

- a. Dabur Advanced Odomos Mosquito Repellent Cream
 - i. Repels mosquitoes
 - ii. Malaria free protected skin and a happy family
- b. Flyforce
 - i. Fly killing insecticide Bait formulation ready to use
 - ii. Flyforce is environmentally friendly insecticide in granule formulation used to control flies
 - iii. It contains fly attractants feeding causes stomach death through feeding or contact with the poison
- c. Green Leaf Powder Cockroach and Ant Killing Bait
 - i. Cockroach killer

- ii. Strongly effective in killing cockroach and its eggs: Green Leaf Powder
Cockroach killing Bait not only can kill a large amount of cockroaches directly, but it also can impede the eggs from hatching, which leads to their abnormal death, thus achieves a unique effect of cockroach eradication
- d. Jik Multipurpose Bleach
 - i. Kills 99.9% of germs
- e. Lidegao Cockroach and Ant
 - i. After the bait is eaten, the whole family of cockroaches will be infected and die in 2 or 3 DAYS
- f. Pestox 2% Cypermethrin The Powder Insect Killer
 - i. Kills all crawling insects
 - ii. For effective control of insects
 - iii. Pestox is effective against crawling insects [...], Ants, Fleas, Beetles, Cockroaches, Lice and Bedbugs
- g. Push Out Rat Poison
 - i. Rat killer
 - ii. Powder bait
 - iii. Very potent
- h. Raid Multi-Purpose Insect Killer
 - i. Fast acting insect killer
 - ii. Kills on contact crawling and flying insects

- i. Raidforce
 - i. Dead rodent graphic
- j. Sniper 1000EC DDVP
 - i. A contact and fumigant acting insecticide
 - ii. For the control of a wide range of insect pests in grain storage warehouses as well as rapid knockdown of insect pests in field and vegetable crops
- k. Sniper Cockroach Killer
 - i. Serial killing effect
 - ii. Sniper Cockroach Killer is primarily used to control Cockroaches and Ants of all types in homes, offices, factories, restaurants, shops, warehouses, hotels, hospitals, schools, etc.
 - iii. It is attractive to Cockroaches and Ants and also provides a quick knockdown
- l. Sniper Crawling Insect Killer
 - i. Knockout all crawling insects
 - ii. Effective against all household insects
- m. Sniper Flying Insect Killer
 - i. Knockout all flying insects
 - ii. Effective against all flying insects
 - iii. Kills flies, mosquitoes and other flying insects
- n. Sniper Multipurpose Insect Killer

- i. Knockout all flying and crawling insects
- ii. Effective against all flying and crawling insect
- iii. Kills flies, mosquitoes and other flying insects
- o. Tetmosol Protect Plus Antiseptic Disinfectant
 - i. Tetmosol Protect Plus with its superior antibacterial properties is a powerful disinfectant that provides maximum protection for the family
- p. Viva Plus Laundry Sanitizer Detergent Powder
 - i. Kills 99.9% of bacteria
 - ii. Odour elimination
 - iii. Kills odour causing bacteria

20. Each of the Products claims to prevent, destroy, repel, or mitigate a "pest" (bacteria, viruses, rodents, insects, etc.) as defined by Section 2(t) of FIFRA, 7 U.S.C. § 136(t).

21. Each of the Products is a "pesticide" as that term is defined by Section 2(u) of FIFRA, 7 U.S.C. § 136(u), because it is a substance intended for preventing, destroying, repelling, or mitigating a pest.

22. Each of the Products is a substance intended for a pesticidal purpose pursuant to 40 C.F.R. § 152.15(a)(1) because Respondent implied by labeling that the substance can or should be used as a pesticide.

23. From the time Respondent distributed or sold the Products, the Products should have been registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

24. The Products were not registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a at the time of the Inspection and are not registered at the time of the issuance of this Order.

Distribution or Sale of an Unregistered Pesticide

25. At the time of the Inspection, Respondent was engaged in the distribution or sale of the Products, which is defined by Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg), to include 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.

26. Distribution or sale of the Products, unregistered pesticides, was an illegal act under paragraph (A) of Section 12(a)(1) of FIFRA, 7 U.S.C. § 136j(a)(1), which makes it unlawful for any person in any State to distribute or sell to any person a pesticide that is not registered under Section 3 of FIFRA, 7 U.S.C. § 136a.

27. EPA has reason to believe, based on the information described above, that Respondent had distributed or sold the Products or intended to distribute or sell the Products in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A).

28. On the basis of this finding EPA is authorized by Section 13(a) of FIFRA, 7 U.S.C. § 136k(a), to issue a Stop Sale, Use, or Removal Order.

D. STOP SALE USE OR REMOVAL ORDER

29. Pursuant to the authority of Section 13(a) of FIFRA, 7 U.S.C. § 136k(a), Respondent is hereby ORDERED to **IMMEDIATELY CEASE** the sale, use, or removal of the Products under its ownership, control, or custody, wherever such products are located, except in accordance with the provisions of this Order, or until such time that the Products are in compliance with FIFRA.

30. This Order shall apply to all quantities and container types and sizes of all of the Products owned, controlled or in the custody of Respondent and any agent, contractor, employee, consultant, firm successor, and/or assign or other persons or entities acting on behalf of Respondent.

31. The Products shall not be used, sold, offered for sale, held for sale, shipped, delivered for shipment, received, or having so received, shall not be delivered, offered for delivery, moved, or removed for disposal from any facility or establishment, for any reason, unless approved by EPA in writing.

32. Should Respondent seek an exception to this Order's prohibitions, Respondent may submit a request to Justin Mullenix at Mullenix.Justin@epa.gov, which must include:

- a. The purpose for which movement is being requested;
- b. An accounting of the quantities of the Products to be moved, including location(s) and container size; and
- c. The destination location to which the Products will be moved.

33. Violation of the terms or provisions of this Order is a violation of Section 12(a)(2)(I) of FIFRA, 7 U.S.C. § 136j(a)(2)(I), and may subject the violator to **CIVIL OR CRIMINAL PENALTIES** as prescribed in Section 14 of FIFRA, 7 U.S.C. § 136l.

34. Respondent may seek federal judicial review of the Order pursuant to section 16 of FIFRA, 7 U.S.C. § 136n.

35. If any provision or authority of the Order or the application of the Order to Respondent is held by federal judicial authority to be invalid, the application to Respondent of

the remainder of the Order shall remain in full force and effect and shall not be affected by such a holding.

36. The issuance of this Order shall not act as a waiver by EPA of any enforcement or other authority available to EPA under FIFRA.

37. This order does not affect the obligation of Respondent to comply with all federal, state and local statutes, regulations and permits.

38. This Order shall be **EFFECTIVE IMMEDIATELY** upon receipt by Respondent.

39. This Order shall remain in effect unless and until revoked, terminated, suspended, modified, or released by EPA.

40. EPA may subsequently amend this Order, in writing, in accordance with the authority of FIFRA. Any amendment will be transmitted to Respondent. In the event of any such subsequent amendment to this Order, all requirements for performance of this Order not affected by the amendment shall remain as specified in the original Order.

E. OTHER MATTERS

41. For any additional information about this SSURO please contact Justin Mullenix, EPA Region 6, at (214) 665-7173 or Mullenix.Justin@epa.gov. For any legal matters concerning this Order, you are encouraged to contact Christyn Cavazos, Office of Regional Counsel, at (214) 665-6470 or Cavazos.Christyn@epa.gov.

Date: May 1, 2025

Digitally signed by
CHERYL SEAGER
Date: 2025.05.01
14:42:51 -05'00'

Cheryl T. Seager
Director
Enforcement and
Compliance Assurance Division
U.S. EPA, Region 6

CERTIFICATE OF SERVICE

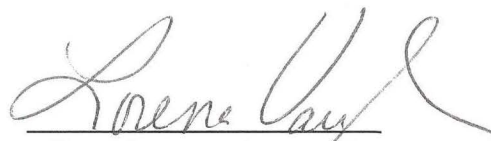
I certify that a true and correct copy of the foregoing Stop Sale, Use, and Removal Order was sent on this day in the following manner:

Copy via Email to Respondent:

operations@mysasun.com

Certified Mail to Respondent:

Lara Ajetomobi
Mylenn, LLC dba My Sasun African Grocery
1922 Choate Parkway, Suite 135
Celina, Texas 75009



Office of Regional Counsel
U.S. EPA, Region 6