



REGION 6

DALLAS, TX 75270

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**REGIONAL HEARING CLERK
EPA REGION 6**

1/26/2024

SENT BY ELECTRONIC MAIL

robert.maze@sgs.com

Robert Maze
SGS North America
2 Avenue J
Bayonne, New Jersey 07002

Re: Notice of Warning for Late/Non-Reported Annual Pesticide Production Reports
EPA Docket No. FIFRA-06-2024-0370

Dear Mr. Maze:

This letter constitutes a warning pursuant to Section 9(c)(3) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. § 136g(c)(3). The U.S. Environmental Protection Agency (EPA) is hereby alleging that SGS North America is in violation of Section 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L), for failure to file the calendar year 2021 and 2022 pesticide production reports (EPA Form 3540-16) for EPA Establishment Number 100594-TX-1 as required by Section 7(c) of FIFRA, 7 U.S.C. § 136e(c), on or before the annual March 1 due dates. EPA records indicate that the reports filed for your establishment are postmarked on May 4, 2022, and March 8, 2023, respectively.

You are hereby advised to comply with the regulations promulgated at 40 C.F.R. § 167.85(d) which states the due date for annual reports as being March 1 of each year. Reports can be submitted electronically through EPA's Central Data Exchange (CDX) website. Please see the following link for additional information about electronic reporting for pesticide establishments: <https://www.epa.gov/compliance/electronic-reporting-pesticide-establishments>. Alternatively, a hard copy version of the form (for submission via conventional mail) is available at the following link: <https://www.epa.gov/compliance/epa-form-3540-16-pesticide-report-pesticide-producing-and-device-producing>.

EPA has determined this Notice of Warning is an appropriate enforcement response for the apparent violations of FIFRA. Subsequent violations of Section 7(c) of FIFRA, 7 U.S.C. § 136e(c), may subject you to an administrative civil penalty of up to \$23,494 per violation and/or termination of your registration as a pesticide producing establishment.

If you have any questions concerning this matter, please contact Kiera Hancock by phone at 214-665-3176 or by email at Hancock.Kiera@epa.gov.

Sincerely,

Yurk, Jeff

Digitally signed by Yurk,
Jeff
Date: 2024.01.26 11:49:59
-06'00'

Jeffrey Yurk, Manager
Waste Enforcement Branch