

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	09/16/2024	
Media Program:	Pesticides	
Regulatory Program(s)	FIFRA	
Company Name:	Selected Brands, Inc.	
Facility Name:	Selected Brands	
Facility Physical Location:	29 Concord St., Suite A	
(city, state, zip code)	El Paso, TX 79906	
Mailing address:	29 Concord St., Suite A	
(city, state, zip code)	El Paso, TX 79906	
County/Parish:	El Paso	
Facility Phone Number	(915) 888-0602	
Facility Contact:	Ruben H.F. Ruiz	Manager
	rubenhf@selectedbrandselp.com	
FRS Number:	n/a	
Identification/Permit Number:	n/a	
Media Identifier Number:	n/a	
NAICS:	424410	
SIC:	5141	
Personnel participating in inspection:		
Justin Mullenix	EPA-ECDST	Lead Inspector
Gerardo Acosta	EPA-ECAD	Subject Matter Expert
Ruben H.F. Ruiz	Selected Brands, Inc.	Manager
EPA Lead Inspector Signature/Date	Mullenix, Justin Digitally signed by Mullenix, Justin Date: 2024.10.22 16:40:59 -05'00'	
	Justin Mullenix	Date
Supervisor Signature/Date	Stuckey, Troy Digitally signed by Stuckey, Troy Date: 2024.10.29 09:50:20 -05'00'	
	H. Troy Stuckey, PhD	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

This for-cause scheme marketplace establishment inspection was conducted pursuant to the Federal, Insecticide, Fungicide, and Rodenticide Act (FIFRA) Section 9(a), 7 U.S.C. §136g(a), to evaluate compliance with FIFRA and the regulations thereunder.

The inspection occurred for-cause for suspected distribution or sale of unregistered pesticides, including Clorox disinfectant bleach, various Fabuloso disinfectant cleaners, and Pinol disinfectant cleaner.

FACILITY DESCRIPTION

Selected Brands, Inc. is a company incorporated and operating a single facility in El Paso, Texas, that specializes in the wholesale distribution of imported grocery merchandise from Mexico. According to information obtained through sources available online, Selected Brands, Inc. appears to be a Category II sized business pursuant to the FIFRA Enforcement Response Policy (December 2009).

Section II – OBSERVATIONS

I, EPA Region 6 Inspector Justin Mullenix, along with FIFRA subject matter expert Gerardo Acosta, arrived at Selected Brands on September 16, 2024, at approximately 9:30 AM. Upon entering the facility, we met Ruben Ruiz, manager of Selected Brands. I explained to Mr. Ruiz the purpose of our visit and asked if we could discuss the matter further in his office. Mr. Ruiz led us to his office where I then presented my inspector credential and a Notice of Inspection (EPA Form 3540-2) which he and I signed (Appendix 1).

I informed Mr. Ruiz of the for-cause nature of the inspection, citing suspected distribution or sale of unregistered antimicrobial pesticides such as imported Clorox, Fabuloso and Pinol disinfectant products linked to enforcement actions taken by EPA Region 7 and/or EPA Region 9. Mr. Ruiz denied that distribution or sale of products by Selected Brands occurs within the Region 7 states: Iowa, Kansas, Missouri, and Nebraska. He also stated that Selected Brands no longer distributes or sells the Pinol disinfectant product “Pinol El Original 1L” but confirmed that the company distributes or sells certain Clorox and Fabuloso disinfectant products. To further clarify which products are of concern to the EPA, I presented information obtained from the Selected Brands company website (URL: www.selectedbrandself.com) indicating that imported, disinfectant varieties of Clorox, Fabuloso and Pinol products were presently being offered for sale by the company. Mr. Ruiz stated that the company website was not up to date concerning the Pinol disinfectant product but confirmed that it and the other products of concern have been distributed or sold by Selected Brands. Mr. Acosta and I then asked Mr. Ruiz about the importation of the products of concern. Mr. Ruiz stated that Selected Brands does not import the products of concern or perform any modifications to the product labels/labeling to avoid United States import or registration requirements for pesticides but was aware of the practice by

entities in Mexico or elsewhere. I requested that company records detailing the receipt and distribution or sale of the products of concern be provided to me. Mr. Ruiz agreed to provide these records, which he then compiled and sent to me via email.

After concluding the opening meeting, I asked Mr. Ruiz if we could tour the facility to evaluate products for compliance with FIFRA. Mr. Ruiz agreed and led Mr. Acosta and I to the warehouse section of the facility where chemicals and other non-food items were being held for distribution or sale. Mr. Acosta and I confirmed the presence of the following unregistered disinfectant products:

- Clorox Concentrado/Regular 3.8L
- Clorox Limpiador Desinfectante "Pino" 930mL
- Fabuloso Alternativa al Cloro "Fresca Primavera" 1L
- Fabuloso Ultra Frescura Antibacterial y Antiviral "Energia Naranja" 1L
- Fabuloso Ultra Frescura Antibacterial y Antiviral "Fresca Lavanda" 1L
- Fabuloso Ultra Frescura Antibacterial y Antiviral "Mar Fresco" 1L

Upon concluding the warehouse inspection, we returned to Mr. Ruiz's office. Mr. Acosta and I asked Mr. Ruiz some follow up questions regarding the products of interest and confirmed that all requested records had been sent to me via email. I then prepared a Receipt for Samples (EPA Form 3540-3) which Mr. Ruiz and I signed (Appendix 2). Mr. Ruiz was then provided a copy of the Notice of Inspection and Receipt for Samples, along with an EPA Small Business Resources information sheet and Confidential Business Information (CBI) information packet. The inspection concluded at approximately 10:50 AM.

Section III – AREAS OF CONCERN

An area of concern identified during the inspection includes the potential distribution or sale of unregistered antimicrobial pesticides as specified above.

Section IV – FOLLOW UP

On September 30, 2024, I emailed Mr. Ruiz to request clarification and additional records pertaining to Fabuloso Alternativa al Cloro "Fresca Primavera" 1L. Mr. Ruiz provided the requested records to me via email on October 1, 2024.

Section V – LIST OF APPENDICES

Appendix 1 – Notice of Inspection (EPA Form 3540-2)

Appendix 2 – Receipt for Samples (EPA Form 3540-3)

Appendix 3 – Photograph Log – 20 photographs taken on September 16, 2024

Appendix 1

Notice of Inspection



United States
ENVIRONMENTAL PROTECTION AGENCY

Washington, DC 20460

Notice of Inspection

Office of Enforcement and Compliance Assurance

Facility Name <i>Selected Brands</i>	Facility Address <i>29 Concord St. Suite A El Paso, TX 79906</i>
Name of Facility Official <i>Ruben Ruiz</i>	Title <i>Manager.</i>

By my signature, I represent that I am an owner, operator or agent in charge of the facility being inspected, and attest that the EPA, Designated State or Political Subdivision Employee or Officer identified on this form presented his or her credentials prior to issuing this Notice of Inspection.

Facility Official's Signature: *[Signature]*

Authority for Inspection

For the purpose of inspecting and obtaining samples of any pesticides or devices packaged, labeled and released for shipment, and samples of any containers or labeling for such pesticides or devices, in places where pesticides or devices are held for distribution or sale [FIFRA § 9(a) (7 U.S.C. § 136g)]; and for the purpose of inspecting and obtaining copies of those records specified in FIFRA § 8 (7 U.S.C. § 136f) and 40 C.F.R. Part 169.

Reasons for Inspections (Check applicable boxes)

☐ Routine Inspection	Violation
☒ For Cause Inspection	Suspected: <i>Distribution/sale of unregistered pesticides</i>

Additional Information:

- Pinal
- Lorox
- Fabuloso

Name of Inspector	<i>Justin Mullenix</i>	
Signature of Inspector	<i>[Signature]</i>	Date <i>9/16/24</i>
Title	<i>Life Scientist</i>	Time <i>9:35 AM</i>
Address EPA Region 6, 1201 Elm St, Dallas, TX 75270		

Note: The absence of a Facility Official's signature on this form does not invalidate this Notice of Inspection, or establish that consent to the inspection was not provided or that the proper procedures were not followed.

Appendix 2

Receipt for Samples



United States
ENVIRONMENTAL PROTECTION AGENCY

Washington, DC 20460

Receipt for Samples

Office of Enforcement and Compliance Assurance

Facility Name <i>Selected Brands</i>	Facility Address <i>29 Concord St. Suite A El Paso, TX 79906</i>
Name of Facility Official <i>Ruben Ruiz</i>	Title <i>Manager</i>

Samples Collected (Assign sample number and describe fully (e.g., product name, size, quantity, registration, establishment, lot, batch, model and/or serial numbers, etc.)) The following samples were collected by or on behalf of the U.S. Environmental Protection Agency and receipt is hereby acknowledged pursuant to Section 9(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. §136g).

09162024 - 08750731430001027713 - 01 - 01: 20 photographs

09162024 - 08750731430001027713 - 01 - 02: 7 product invoice lists

☐ Duplicate samples requested and provided	☒ Duplicate samples not requested	Amount paid	☐ Cash ☐ Credit Card ☒ No Charge
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Acknowledgement of Samples Collected: The undersigned acknowledges that the samples shown above were obtained from pesticides or devices that were packaged, labeled and released for shipment.

Facility Official Signature 	Date <i>09/16/24</i>
Name of Inspector <i>Justin Mullenix</i>	Title <i>Life Scientist</i>
Signature of Inspector <i>Justin Mullenix</i>	Date <i>9/16/24</i>
Address <i>1201 Elm St., Dallas, TX 75270</i>	

Appendix 3

Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0055.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Selected Brands facility front (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0057.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Ultra Frescura Antibacterial y Antiviral "Mar Fresco" 1L (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0058.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Ultra Frescura Antibacterial y Antiviral "Mar Fresco" 1L (2)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0059.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Ultra Frescura Antibacterial y Antiviral "Mar Fresco" 1L (3)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0060.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Alternativa al Cloro "Fresca Primavera" 1L (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0061.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Alternativa al Cloro "Fresca Primavera" 1L (2)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0062.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Ultra Frescura Antibacterial y Antiviral "Energia Naranja" 1L (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0063.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Ultra Frescura Antibacterial y Antiviral "Energia Naranja" 1L (2)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0064.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Ultra Frescura Antibacterial y Antiviral "Fresca Lavanda" 1L (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0065.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Ultra Frescura Antibacterial y Antiviral "Fresca Lavanda" 1L (2)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 11

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0066.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso Ultra Frescura Antibacterial y Antiviral "Fresca Lavanda" 1L (3)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 12

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0067.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Clorox Limpiador Desinfectante "Pino" 930mL (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 13

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0068.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Clorox Limpiador Desinfectante "Pino" 930mL (2)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 14

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0069.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Clorox Limpiador Desinfectante "Pino" 930mL (3)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 15

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0070.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso and Clorox product boxes (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 16

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0071.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Fabuloso and Clorox product boxes (2)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 17

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0072.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Clorox product boxes (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 18

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0073.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Clorox product boxes (2)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 19

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0074.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Hand sanitizer product boxes (1)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 20

Location: Selected Brands, Inc.		
City: El Paso	County/Parish: El Paso	State: Texas



Photo File Name: IMG_0075.JPG

Date of Photo: 09/16/2024

Photographer: Gerardo Acosta

Description: Hand sanitizer product boxes (2)