

U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 Elm Street, Suite 500
Dallas, Texas 75270

FILED
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REGIONAL HEARING CLERK
EPA REGION 6

In the Matter of	§	
	§	
4 Aces Wholesale & Distributor,	§	Docket No. FIFRA-06-2025-0300
	§	
	§	
Respondent.	§	

STOP SALE, USE, OR REMOVAL ORDER

Jurisdiction

1. This Stop Sale, Use, or Removal Order (Order or SSURO) is issued pursuant to the authority of Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), 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 ("EPA") 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 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.

Parties

2. Complainant is the Director of Enforcement and Compliance Assurance Division of the EPA, Region 6, as duly delegated by the Administrator of the EPA and the Regional Administrator, EPA, Region 6.

3. Respondent is 4 Aces Wholesale & Distributor, a company conducting business in the state of Texas.

Statutory and Regulatory Authority

4. 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.

5. 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.

6. 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.

7. 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.

8. 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).

9. The regulations found at 40 C.F.R. § 152.15(a)(1) and (b) further defines 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.

10. 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.

11. Section 2(a)(1) of FIFRA, 7 U.S.C. § 136(a)(1) defines “active ingredient” as in the case of a pesticide other than a plant regulator, defoliant, desiccant, or nitrogen stabilizer, an ingredient which will prevent, destroy, repel, or mitigate any pest.

12. The regulation at 40 C.F.R. 152.3 defines “active ingredient” as any substance (or group of structurally similar substances if specified by the Agency) that will prevent, destroy, repel or mitigate any pest, or that functions as a plant regulator, desiccant, or defoliant within the meaning of FIFRA sec. 2(a), except as provided in § 174.3.

EPA Findings of Fact and Conclusions of Law

13. Respondent is, and at all times referred to herein was, a “person” as defined by Section 2(s) of FIFRA, 7 U.S.C. § 136(s).

14. Respondent owns and operates a facility located at: 11204 Harry Hines Boulevard, Dallas, Texas, 75229 (the “Facility”).

15. Pursuant to Section 9 of FIFRA, 7 U.S.C. § 136g, the EPA conducted an inspection of the Facility on June 25, 2024, to determine Respondent's compliance with FIFRA and the federal regulations promulgated thereunder (the "Inspection").

16. During the inspection, EPA discovered that Respondent distributed or sold, as those terms are defined by Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg), at the Facility seven (7) products that are unregistered pesticides (the "Products"):

1. Clorox (500mL, 1.89L, and 10L);
2. Clorox Ropa (500mL, 930mL, and 1.89L);
3. Fabuloso Ultra Frescura Antibacterial Y Antiviral (Fresco Amanecer (500mL), Fresco Amanecer (1L), Mar Fresco (1L), Fresca Lavanda (1L), Pasión de Frutas (1L), and Fresca Lavanda (10L));
4. Fabuloso Frescura Activa Antibacterial Y Antiviral (Mar Fresco (500mL), Fresco Amanecer (500mL), and Energia Naranja (1L));
5. Fabuloso Antibacterial Y Antiviral Trap Para Trapear (blue label (828mL) and purple label (828mL));
6. Fabuloso Alternative al Cloro (Fresca Primavera (1L)); and
7. 4you Strong Disinfectant (Fresh Sea (5L) and Lemon (5L)).

Clorox

17. The label on the Clorox product states that it "Elimina el 99,9% de Bacterias y Virus" (Eliminates 99.9% of bacteria and viruses), "Elimina el virus causante de COVID-19" (Eliminates the virus that causes COVID-19), and that it has "48 Horas Prevención Contra Bacterias" (48 hour prevention against bacteria).

18. Bacteria and viruses, including “the virus that causes COVID-19”, are “pests” as that term is defined by Section 2(t) of FIFRA, 7 U.S.C. § 136(t).

19. The product Clorox 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 pests.

20. The product Clorox is a “pesticide” as that term is further defined by 40 C.F.R. § 152.15, which requires registration pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a, because the product is a substance intended for pesticidal purposes for which Respondent states through labels when distributing or selling the product that the product can or should be used as a pesticide.

21. The ingredients in the Clorox product include Sodium Hypochlorite. This ingredient is an “active ingredient” as defined by Section 2(a) of FIFRA, 7 U.S.C. § 136(a) and 40 C.F.R. § 152.3, because it is a substance that will prevent, destroy, repel, or mitigate any pest.

22. The Clorox product has no significant commercially valuable use as distributed or sold other than use for pesticidal purpose.

23. The Clorox product is a substance intended for a pesticidal purpose pursuant to 40 C.F.R. § 152.15(b) because it 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 (by itself or in combination with any other substance).

24. From the time Respondent held the Clorox product for distribution and sale, the product should have been registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

25. At the time of the inspection, the product Clorox was being offered for sale and/or held for distribution or sale and was not registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

Clorox Ropa

26. The label on the Clorox Ropa product states that it “Quita Manchas Y Desinfecta” (Removes stains and disinfects) and that it “Elimina el 99,9% de virus y bacterias de tus prendas” (Eliminates 99.9% of viruses and bacteria from your clothes).

27. Viruses and bacteria are “pests” as that term is defined by Section 2(t) of FIFRA, 7 U.S.C. § 136(t).

28. The product Clorox Ropa 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 pests.

29. The product Clorox Ropa is a “pesticide” as that term is further defined by 40 C.F.R. § 152.15, which requires registration pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a, because the product is a substance intended for pesticidal purposes for which Respondent states through labels when distributing or selling the product that the product can or should be used as a pesticide.

30. The ingredients in the Clorox Ropa product include Hydrogen Peroxide. This ingredient is an “active ingredient” as defined by Section 2(a) of FIFRA, 7 U.S.C. § 136(a) and 40 C.F.R. § 152.3, because it is a substance that will prevent, destroy, repel, or mitigate any pest.

31. The Clorox Ropa product has no significant commercially valuable use as distributed or sold other than use for pesticidal purpose.

32. The Clorox Ropa product is a substance intended for a pesticidal purpose pursuant to 40 C.F.R. § 152.15(b) because it 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 (by itself or in combination with any other substance).

33. From the time Respondent held the Clorox Ropa product for distribution and sale, the product should have been registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

34. At the time of the inspection, the product Clorox Ropa was being offered for sale and/or held for distribution or sale and was not registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

Fabuloso Ultra Frescura Antibacterial Y Antiviral

35. The label on the Fabuloso Ultra Frescura Antibacterial Y Antiviral product states that it “Neutraliza Malos Olores, Virus y Bacterias” (Neutralizes Bad Odors, Viruses and Bacteria), “ Neutraliza malos olores, limpia efectivamente, elimina virus y bacterias y deja una duradera fragancia” (Neutralizes bad odors, cleans effectively, eliminates viruses and bacteria and leaves a long-lasting fragrance), and “Elimina el 99.99% de las bacterias P. aeruginosa, E. coli, S. aureus y S. typhimurium, y el 99.9% de las virus Influenza A H1N1, Coronavirus Humano 0C43, SARS-CoV-2” (Eliminates 99.99% of P. aeruginosa, E. coli, S. aureus and S. typhimurium bacteria, and 99.9% of Influenza A H1N1, Human Coronavirus 0C43, SARS-CoV-2 viruses).

36. Viruses and bacteria are “pests” as that term is defined by Section 2(t) of FIFRA, 7 U.S.C. § 136(t).

37. The product Fabuloso Ultra Frescura Antibacterial Y Antiviral 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 pests.

38. The product Fabuloso Ultra Frescura Antibacterial Y Antiviral is a “pesticide” as that term is further defined by 40 C.F.R. § 152.15, which requires registration pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a, because the product is a substance intended for pesticidal purposes for which Respondent states through labels when distributing or selling the product that the product can or should be used as a pesticide.

39. The ingredients in the Fabuloso Ultra Frescura Antibacterial Y Antiviral product include Glutaraldehyde. This ingredient is an “active ingredient” as defined by Section 2(a) of FIFRA, 7 U.S.C. § 136(a) and 40 C.F.R. § 152.3, because it is a substance that will prevent, destroy, repel, or mitigate any pest.

40. The Fabuloso Ultra Frescura Antibacterial Y Antiviral product has no significant commercially valuable use as distributed or sold other than use for pesticidal purpose.

41. The Fabuloso Ultra Frescura Antibacterial Y Antiviral product is a substance intended for a pesticidal purpose pursuant to 40 C.F.R. § 152.15(b) because it 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 (by itself or in combination with any other substance).

42. From the time Respondent held the Fabuloso Ultra Frescura Antibacterial Y Antiviral product for distribution and sale, the product should have been registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

43. At the time of the inspection, the product Fabuloso Ultra Frescura Antibacterial Y Antiviral was being offered for sale and/or held for distribution or sale and was not registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

Fabuloso Frescura Activa Antibacterial Y Antiviral

44. The label on the Fabuloso Frescura Activa Antibacterial Y Antiviral product states that it “Neutraliza Malos Olores, Virus y Bacterias” (Neutralizes Bad Odors, Viruses and Bacteria), “ Neutraliza malos olores, limpia efectivamente, elimina virus y bacterias y deja una duradera fragancia” (Neutralizes bad odors, cleans effectively, eliminates viruses and bacteria and leaves a long-lasting fragrance), and “Elimina el 99.99% de las bacterias P. aeruginosa, E. coli, S. aureus y S. typhimurium, y el 99.9% de las virus Influenza A H1N1, Coronavirus Humano OC43, SARS-CoV-2” (Eliminates 99.99% of P. aeruginosa, E. coli, S. aureus and S. typhimurium bacteria, and 99.9% of Influenza A H1N1, Human Coronavirus OC43, SARS-CoV-2 viruses).

45. Viruses and bacteria are “pests” as that term is defined by Section 2(t) of FIFRA, 7 U.S.C. § 136(t).

46. The product Fabuloso Frescura Activa Antibacterial Y Antiviral 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 pests.

47. The product Fabuloso Frescura Activa Antibacterial Y Antiviral is a “pesticide” as that term is further defined by 40 C.F.R. § 152.15, which requires registration pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a, because the product is a substance intended for pesticidal purposes for which Respondent states through labels when distributing or selling the product that the product can or should be used as a pesticide.

48. The ingredients in the Fabuloso Frescura Activa Antibacterial Y Antiviral product include Glutaraldehyde. This ingredient is an “active ingredient” as defined by Section 2(a) of FIFRA, 7 U.S.C. § 136(a) and 40 C.F.R. § 152.3, because it is a substance that will prevent, destroy, repel, or mitigate any pest.

49. The Fabuloso Frescura Activa Antibacterial Y Antiviral product has no significant commercially valuable use as distributed or sold other than use for pesticidal purpose.

50. The Fabuloso Frescura Activa Antibacterial Y Antiviral product is a substance intended for a pesticidal purpose pursuant to 40 C.F.R. § 152.15(b) because it 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 (by itself or in combination with any other substance).

51. From the time Respondent held the Fabuloso Frescura Activa Antibacterial Y Antiviral product for distribution and sale, the product should have been registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

52. At the time of the inspection, the product Fabuloso Frescura Activa Antibacterial Y Antiviral was being offered for sale and/or held for distribution or sale and was not registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

Fabuloso Antibacterial Y Antiviral Trap Para Trapear

53. The label on the Fabuloso Antibacterial Y Antiviral Trap Para Trapear product states that “Para acción antibacterial Y antiviral: Utilizer el producto sin diluir y déjelo actuar por 5 minutos” (For antibacterial AND antiviral action: Use the product undiluted and let it act for 5 minutes) and “Elimina el 99.99% de las bacterias P. aeruginosa, E. coli, S. aureus y S.

typhimurium, y el 99.9% de las virus Influenza A H1N1, Coronavirus Humano 0C43, SARS-CoV-2” (Eliminates 99.99% of *P. aeruginosa*, *E. coli*, *S. aureus* and *S. typhimurium* bacteria, and 99.9% of Influenza A H1N1, Human Coronavirus 0C43, SARS-CoV-2 viruses).

54. Viruses and bacteria are “pests” as that term is defined by Section 2(t) of FIFRA, 7 U.S.C. § 136(t).

55. The product Fabuloso Antibacterial Y Antiviral Trap Para Trapear 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 pests.

56. The product Fabuloso Antibacterial Y Antiviral Trap Para Trapear is a “pesticide” as that term is further defined by 40 C.F.R. § 152.15, which requires registration pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a, because the product is a substance intended for pesticidal purposes for which Respondent states through labels when distributing or selling the product that the product can or should be used as a pesticide.

57. The ingredients in the Fabuloso Antibacterial Y Antiviral Trap Para Trapear product include Glutaraldehyde. This ingredient is an “active ingredient” as defined by Section 2(a) of FIFRA, 7 U.S.C. § 136(a) and 40 C.F.R. § 152.3, because it is a substance that will prevent, destroy, repel, or mitigate any pest.

58. The Fabuloso Antibacterial Y Antiviral Trap Para Trapear product has no significant commercially valuable use as distributed or sold other than use for pesticidal purpose.

59. The Fabuloso Antibacterial Y Antiviral Trap Para Trapear product is a substance intended for a pesticidal purpose pursuant to 40 C.F.R. § 152.15(b) because it 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 (by itself or in combination with any other substance).

60. From the time Respondent held the Fabuloso Antibacterial Y Antiviral Trap Para Trapear product for distribution and sale, the product should have been registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

61. At the time of the inspection, the product Fabuloso Antibacterial Y Antiviral Trap Para Trapear was being offered for sale and/or held for distribution or sale and was not registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

Fabuloso Alternative al Cloro

62. The label on the Fabuloso Alternative al Cloro product states that it has a “Fórmula Desinfectante” (Disinfectant Formula) and that it is “Antiviral Y Antibacterial” (Antiviral and Antibacterial).

63. Viruses and bacteria are “pests” as that term is defined by Section 2(t) of FIFRA, 7 U.S.C. § 136(t).

64. The product Fabuloso Alternative al Cloro 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 pests.

65. The product Fabuloso Alternative al Cloro is a “pesticide” as that term is further defined by 40 C.F.R. § 152.15, which requires registration pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a, because the product is a substance intended for pesticidal purposes for which

Respondent states through labels when distributing or selling the product that the product can or should be used as a pesticide.

66. The ingredients in the Fabuloso Alternative al Cloro product include Glutaraldehyde. This ingredient is an “active ingredient” as defined by Section 2(a) of FIFRA, 7 U.S.C. § 136(a) and 40 C.F.R. § 152.3, because it is a substance that will prevent, destroy, repel, or mitigate any pest.

67. The Fabuloso Alternative al Cloro product has no significant commercially valuable use as distributed or sold other than use for pesticidal purpose.

68. The Fabuloso Alternative al Cloro product is a substance intended for a pesticidal purpose pursuant to 40 C.F.R. § 152.15(b) because it 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 (by itself or in combination with any other substance).

69. From the time Respondent held the Fabuloso Alternative al Cloro product for distribution and sale, the product should have been registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

70. At the time of the inspection, the product Fabuloso Alternative al Cloro was being offered for sale and/or held for distribution or sale and was not registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

4you Strong Disinfectant

71. The label on the 4you Strong Disinfectant product states that it “Kills 99.9% of viruses & bacteria”, “is a product formulated with Cuaternarias Salts of Broad spectrum ammonium; germicide, bactericide, fungicide and viricide”, and it is “Recommended for

desinfection of equipment, surfaces, food preparation utensils in kitchen areas of restaurants, industrial dining rooms and hotels.” The label also instructs “Moisten a cloth and clean the area you want to disinfect or spray the area and collect the excess” and “With just spraying you can: clean your cell-phone, desk, table, clothes, toilet, etc. or any type of surface without soaking and it will get disinfected.”

72. Viruses and bacteria are “pests” as that term is defined by Section 2(t) of FIFRA, 7 U.S.C. § 136(t).

73. The product 4you Strong Disinfectant 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 pests.

74. The product 4you Strong Disinfectant is a “pesticide” as that term is further defined by 40 C.F.R. § 152.15, which requires registration pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a, because the product is a substance intended for pesticidal purposes for which Respondent states through labels when distributing or selling the product that the product can or should be used as a pesticide.

75. The ingredients in the 4you Strong Disinfectant product include Benzalkonium Chloride. This ingredient is an “active ingredient” as defined by Section 2(a) of FIFRA, 7 U.S.C. § 136(a) and 40 C.F.R. § 152.3, because it is a substance that will prevent, destroy, repel, or mitigate any pest.

76. The 4you Strong Disinfectant product has no significant commercially valuable use as distributed or sold other than use for pesticidal purpose.

77. The 4you Strong Disinfectant product is a substance intended for a pesticidal purpose pursuant to 40 C.F.R. § 152.15(b) because it 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 (by itself or in combination with any other substance).

78. From the time Respondent held the 4you Strong Disinfectant product for distribution and sale, the product should have been registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

79. At the time of the inspection, the product 4you Strong Disinfectant was being offered for sale and/or held for distribution or sale and was not registered pursuant to Section 3 of FIFRA, 7 U.S.C. § 136a.

Basis for the Order

80. EPA has reason to believe, based on the information described in the EPA Findings of Fact and Conclusions of Law, that Respondent held the Products for distribution and sale in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A).

Order

81. 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.

82. This Order shall apply to all quantities and container types and sizes of all of the Products controlled or within 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.

83. 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.

84. Any proposal for movement of the Products shall be submitted to Kiera Hancock at Hancock.Kiera@epa.gov, and shall include:

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

General Provisions

85. Violation of the terms or provisions of this Order may subject the violator to **CIVIL OR CRIMINAL PENALTIES** as prescribed in Section 14 of FIFRA, 7 U.S.C. § 136/.

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

87. 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.

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

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

90. This Order shall be **EFFECTIVE IMMEDIATELY** upon receipt by RESPONDENT.

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

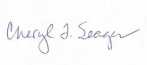
92. EPA may subsequently amend this Order, in writing, in accordance with the authority of FIFRA. Any amendment will be transmitted to Respondent. In the event of any such subsequent amendment to this Order, all requirements for performance of this Order not affected by the amendment shall remain as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

93. Unless otherwise stated, all time periods stated herein shall be calculated in calendar days from such date.

Other Matters

94. For any additional information about this Stop Sale, Use or Removal Order please contact Kiera Hancock, EPA Region 6 Waste Enforcement Branch, at (214) 665-3176 or Hancock.Kiera@epa.gov. For any legal matters concerning this Order, you are encouraged to contact Elizabeth George, Office of Regional Counsel, at (214) 665- 6751 or George.Elizabeth.A@epa.gov.

October 9, 2024
Date

 Digitally signed by CHERYL
SEAGER
Date: 2024.10.09 11:00:59 -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, or Removal Order was filed with me, the Regional Hearing Clerk, U.S. EPA - Region 6, 1201 Elm Street, Suite 500, Dallas, Texas 75270-2102, and that I sent a true and correct copy was sent this day in the following manner to the email addresses:

Copy via Email to Complainant, EPA:

george.elizabeth.a@epa.gov

Copy via Email to Respondent:

mark@texasenvironmentallaw.com
Mark McPherson
McPherson Law Firm
100 Crescent Court, Suite 700
Dallas, TX 75201-2112

Vaughn, Lorena

Digitally signed by Vaughn,
Lorena
Date: 2024.10.10 08:37:45
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Regional Hearing Clerk
EPA Region 6