UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

NOV 24 2014

The Honorable Donna F. Edwards
Member, U.S. House of Representatives
877 Baltimore Annapolis Boulevard
Ritchie Court Office Building, Suite 101
Severna Park, Maryland 21146

Dear Representative Edwards:

Thank you for your letter of October 24, 2014, to the U.S. Environmental Protection Agency (EPA) on behalf of your constituent, Mr. Clifton Broumand, regarding alleged unlawful practices by Seal Shield LLC (Seal Shield) of Jacksonville, Florida. Mr. Broumand expressed concern that Seal Shield is making antimicrobial claims in connection with their silver-treated products.

The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), requires the registration of any substance intended to prevent, destroy, reply, or mitigate pests. However, the Code of Federal Regulation prescribes the conditions under which an exemption from registration is allowed for treated articles or substances. An exemption is allowed for an article or substance treated with or containing a pesticide to protect the article or substance itself, if the pesticide is registered for such use. EPA grants the treated article exemption for a non-public health use of a pesticide that is intended to protect only the treated article or substance itself. Any pesticide-treated (including silver-treated) product that is not registered by EPA must not make public health claims, such as "fights germs, provides antibacterial protection, or controls fungus." Additionally, unqualified "antimicrobial" claims are not permitted.

An initial review of Seal Shield's website, and materials provided by Mr. Broumand, indicates that further investigation of their product claims is warranted. Per EPA standard operating procedures, information on this complaint has been forwarded for investigation to EPA Region IV, in Atlanta which has jurisdiction over environmental matters in Florida, where Seal Shield is located. The point of contact for FIFRA matters in Region IV is Ms. Kimberly Bingham, who can be reached at 404-562-9038.

If you have any questions, please do not hesitate to contact me or have your staff contact Mrs. Linda Miller, EPA's Maryland Liaison, at 215-814-5404.

Sincerely,

Shawn M. Garvin
Regional Administrator

cc: Ms. Kimberly Bingham, EPA Region IV

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