Message

From: Binford, Marshall [Binford.Marshall@epa.gov]
Sent: 7/23/2021 3:26:37 PM
To: Ed Schwartz [ess@mseslegal.com]
CC: Caplan, Robert W. [Caplan.Robert@epa.gov]; Beard, Phillip [Beard.Phillip@epa.gov]; Annicella, Alan [Annicella.Alan@epa.gov]
Subject: RE: Seal Shield - Certification of Compliance Regarding ElectroClave

Great. Thanks very much.

I will send an invite and dial in information for 11:30am

From: Ed Schwartz <ess@mseslegal.com>
Sent: Friday, July 23, 2021 11:15 AM
To: Binford, Marshall <Binford.Marshall@epa.gov>
Cc: Caplan, Robert W. <Caplan.Robert@epa.gov>; Beard, Phillip <Beard.Phillip@epa.gov>; Annicella, Alan <Annicella.Alan@epa.gov>
Subject: Re: Seal Shield - Certification of Compliance Regarding ElectroClave

I am available this morning.

Sincerely,

Ed Schwartz

"HONI SOIT QUI MAL Y PENSE"

SWEETNAM & SCHWARTZ LLC

1050 Crown Pointe Parkway, Suite 500
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From: Binford, Marshall <Binford.Marshall@epa.gov>
Sent: Friday, July 23, 2021 10:28 AM
To: Ed Schwartz <ess@mseslegal.com>
Cc: Caplan, Robert W. <Caplan.Robert@epa.gov>; Beard, Phillip <Beard.Phillip@epa.gov>; Annicella, Alan <Annicella.Alan@epa.gov>
Subject: RE: Seal Shield - Certification of Compliance Regarding ElectroClave

Ed,

Thank you very much for passing along the executed Declaration.

Are you available for a short call this morning to touch base on the SSURO and where EPA is in its review on the questions you highlighted in your July 19, letter?

We have availability to discuss until noon today, and are also largely available on Monday. Thanks.

F. Marshall Binford, Jr. | Associate Regional Counsel
U.S. Environmental Protection Agency, Region 4 | 61 Forsyth Street, SW | Atlanta, Georgia 30303 | 404.562.9543 | binford.marshall@epa.gov

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From: Ed Schwartz <ess@mseslegal.com>
Sent: Thursday, July 22, 2021 12:29 PM
To: Binford, Marshall <Binford.Marshall@epa.gov>
Cc: Caplan, Robert W. <Caplan.Robert@epa.gov>; Beard, Phillip <Beard.Phillip@epa.gov>; Annicella, Alan <Annicella.Alan@epa.gov>
Subject: Re: Seal Shield - Certification of Compliance Regarding ElectroClave

Marshall,

Please find the attached Declaration regarding ElectroClave compliance certification executed by Andrew McCarthy.

As I have indicated, Seal Shield is interested in an expeditious resolution of the other product issues. Please let me know if there is anything we can do to facilitate the EPA review process.

Sincerely,

Ed Schwartz

"HONI SOIT QUI MAL Y PENSE"

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From: Binford, Marshall <Binford.Marshall@epa.gov>
Sent: Tuesday, July 20, 2021 5:23 PM
To: Ed Schwartz <ess@mseslegal.com>
Cc: Caplan, Robert W. <Caplan.Robert@epa.gov>; Beard, Phillip <Beard.Phillip@epa.gov>; Annicella, Alan <Annicella.Alan@epa.gov>
Subject: Seal Shield - Certification of Compliance Regarding ElectroClave

Ed:

Thank you very much for your letter from yesterday on behalf of Seal Shield, and the additional information you provided regarding the recent measures that Seal Shield has taken to resolve the issues with its website as it relates to the ElectroClave.

In order to move forward with Seal Shield's request for an immediate partial termination of the SSURO with respect to the ElectroClave, EPA will need a signed certification of compliance from Seal Shield. Toward this end, please find attached a draft Declaration for the signature of Andrew McCarthy on behalf of Seal Shield, providing a certification of compliance with respect to the ElectroClave. This Declaration is substantially similar to the declaration signed by Andrew which Seal Shield previously provided to EPA, dated June 18, 2020, prior to the partial termination of the April 2020 SSURO.

Once we receive the signed Declaration, we will be able to recommend the execution of a partial termination of the SSURO with respect to the ElectroClave.

As it relates to the other items which you raised in your July 19, 2021 letter, (i.e., the International Version of the Website, Seal Shield's Use of the Word "Silver", and the Importation of the Antimicrobial Products currently in inventory in Asia), EPA is discussing these matters internally and will get back to you as soon as we are able to do so. Should you have any immediate questions or concerns at this time, please feel free to contact me or Bob at your convenience. Thank you again very much for your assistance with this matter.

Regards,

F. Marshall Binford, Jr. | Associate Regional Counsel
U.S. Environmental Protection Agency, Region 4 | 61 Forsyth Street, SW | Atlanta, Georgia 30303 | 404.562.9543 | binford.marshall@epa.gov