



May 20, 2021

CERTIFIED MAIL

Mr. Joseph Johnson, President
Heritage Group
5140 Park Avenue
Suite J
Des Moines, Iowa 50321

Dear Mr. Johnson:

RE: Case File 21.0069 – Warning Letter

On July 7, 2020, the Iowa Department of Agriculture Pesticide Bureau received an EPA referral regarding an anonymous complaint they received stating your company is advertising disinfectant services using a method of protective coating that lasts up to 90 days and protects against COVID-19. The case was assigned to Steve Van Helten and Mark Smith, Pesticide Investigators, who began their investigation on July 17, 2020.

During this investigation, you stated to Mr. Van Helten and Mr. Smith that the products used with your services are Vital Oxide (EPA Reg. No. 82972-1) and Annihilyte (EPA Reg. No. 92449-1). You provided to Mr. Van Helten and Mr. Smith five invoices showing your services using these products.

Your company's website indicates you use a Science-Proven Microbial Control service protecting surfaces from COVID-19 and disease-causing germs for up to 90 days. Science-Proven Microbial Control® electrostatically coats surfaces front, back, and sides with an EPA-registered microbial treatment.

You also stated to Mr. Van Helten and Mr. Smith that you do not make any claims of the pesticides that you use other than what is on the label.

The labels for Vital Oxide and Annihilyte do not state that these products will provide a residual claim, up to 90 days of protection. Further, the labels for Vital Oxide and Annihilyte do not include use directions for control of viruses with electrostatic spray application. Therefore, your use of the products are considered inconsistent with label directions. Section 206.11(3)(b) of the *Iowa Code* states: ***“It shall be unlawful for any reason to use or cause to be used any pesticide contrary to its labeling or to rules of the state of Iowa if those rules differ from or further restrict the usage.”***

This notice has outlined a specific violation and constitutes a warning pursuant to Chapter 206 of the *Iowa Code*. The Pesticide Bureau requires your cooperation in the safe use and handling of all pesticide products to include reading and following all labeling directions and precautionary statements. Failure to take the steps necessary to correct violations and prevent repeat violations may result in civil penalty. This notice of warning will be placed in your file.

This file is closed. Should you have any questions regarding this notice or need assistance with compliance issues outlined, please contact me directly at 515-281-8507 or via email at carol.corbin@iowaagriculture.gov. However, any comments you may wish to include in this case file must be submitted in writing.

Sincerely,



Carol Corbin
Case Review Officer

Copy to: Gretchen Paluch, Bureau Chief
Steve Van Helten, Pesticide Investigator (retired)
Mark Smith, Pesticide Investigator
Michael Daniels, EPA Region 7
Jamie Green, EPA Region 7