

# Methyl Bromide: Montreal Protocol Implications for International Trade

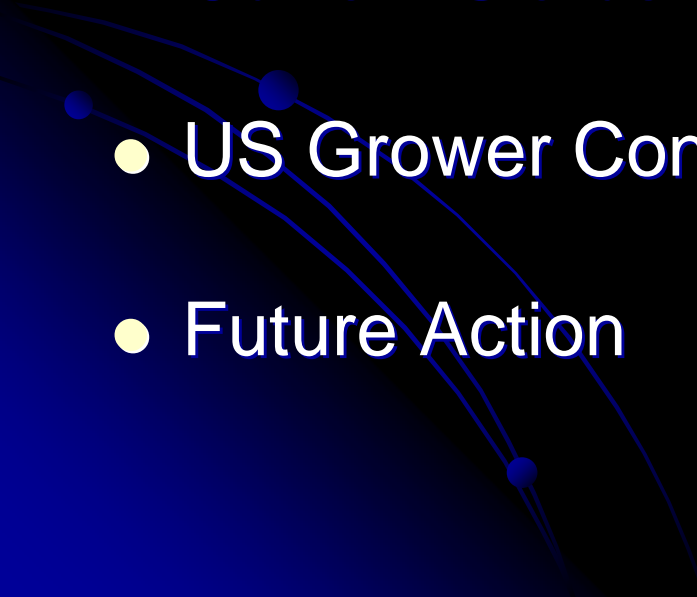
2010 MRL Workshop: Global Regulations

Daniel A. Botts, FFVA & CPC


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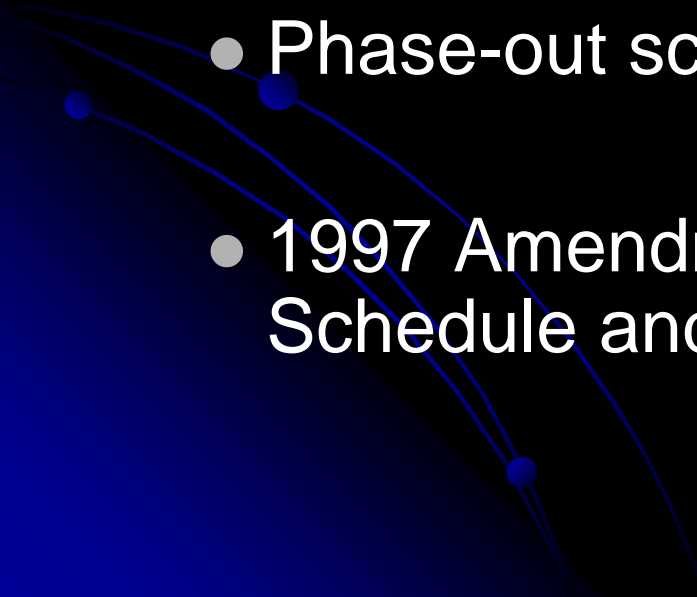
# Presentation Overview

- Importance of Methyl Bromide In International Trade
  - Background Information
  - Current Status
  - US Grower Concerns
  - Future Action
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# Importance in Trade

- Mebr Critically Important in PPQ Programs
  - Also Required for Quality Reasons Through Bilateral Country to Country Agreements
  - Important in US for Plant Health and Internal Movement of Propagative Material
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# Background

- Montreal Protocol
    - Included Methyl Bromide as Category I Ozone Depleter in 1992 (Copenhagen Amendments)
    - Phase-out schedule 1995
    - 1997 Amendments Modified Phase out Schedule and included QPS exemption
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# Background

- US Clean Air Act
  - Amended 1990 to Include Stratospheric Ozone Protection
  - Methyl Bromide included with Copenhagen Amendments to Montreal Protocol in 1992
  - Amended through Appropriation Act in 1998 to Allow the US to Provide Exemptions as Adopted by the Montreal Protocol
  - EPA Interim Final Rule 2001 followed by final rule in 2003 Established QPS exemption under the Clean Air Act
  - Regulates Methyl Bromide by Annual Allocation Rule that controls “Production and Consumption”

# Background

- Federal Insecticide Fungicide and Rodenticide Act
    - Controls Distribution and Use Through Registration
    - Highly Structured Regulated Process
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# Current Status

- QPS Use Under Review at the Montreal Protocol Level
- ISPM – 15, Wood Packaging Materials
- Use Ban in European Union
- TEAP QPS Task Force

# Montreal Protocol Concerns -- QPS

- Increasing Use Under QPS Exemption
  - Primarily Developing Nations
  - US QPS Exempted Use in CUE
- Exploring Options
  - Started with Study request in 2001
  - Workshops at MOP 20 & 21

# ISPM - 15


- International Standard Adopted to Protect Forest Resources from Introduced pests through Untreated Wood Packaging Materials

- Requires either Methyl Bromide or Heat Treatment
- Major Initiative

- APHIS Impact Review

- Projected Use Could Reach 1991 Baseline Use Levels Depending on Movement of Goods from Developing Economies in Asia

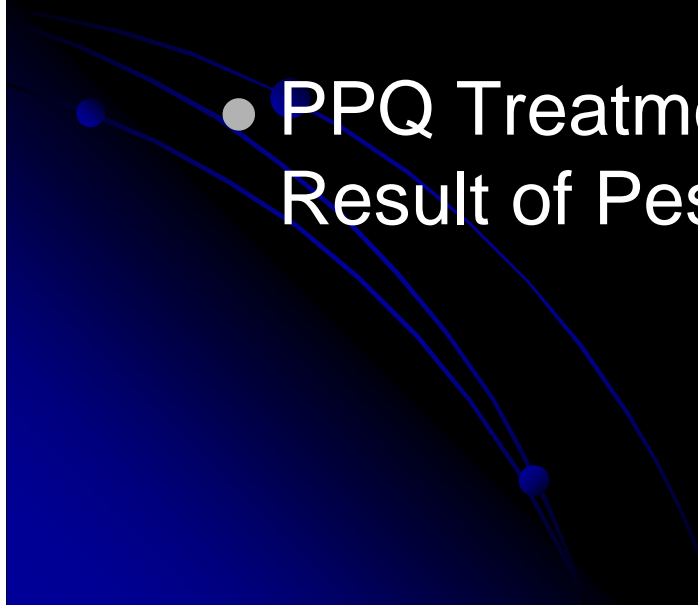
# EU Ban – QPS Use 2010

- Methyl Bromide Not Re-authorized in EU  
– required removal from Use
  - QPS Use Had Been Capped in EU since 2006
  - Major Push by EU to Reduce Use Globally
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# TEAP QPS Task Force

- Required Under Decision XXI/10 taken at 21 MOP, Port Ghalib Egypt, November 2009
- Report to 30<sup>th</sup> OEWG Geneva, Switzerland – June 15 – 18, 2010
  - TEAP Progress Report, May 2010, Volume 2
  - Task Force – Subset of MBTOC

# QPS Use Assessment

- Complicated Process to Determine Actual QPS Use
    - Required by Importing Company
    - PPQ Treatments Required at Port of Entry as Result of Pest Detection
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# QPS Task Force Report

- Four Major Areas of Concern

- Sawn Timber and Wood Packaging Materials
- Grains and Similar Foodstuffs
- Preplant Soils Use
- Logs

- Technology and Feasibility of Alternatives to QPS Use

- Methodology to Assess Impact

# QPS Task Force Recommendations

- 85 – 90 % of Preplant Soil Uses Should Not Qualify for QPS – Alternatives and Lack of QPS Efficacy
- Targeted Specifically at the US – Only Country that moved quantities into QPS at time of First CUEs
- Cavalier Attitude Toward PPQ Requirements and Negotiated Agreements

***Table 8-1: Parties that may and may not categorise pre-plant fumigation of soil during production of propagation material of high plant health status to be QPS***

<b>Pre-plant fumigation with methyl bromide</b>	<b>Parties that have classified this use as QPS</b>	<b>Parties that have NOT classified this use as QPS and classify it as a controlled use<sup>1</sup></b>
Bulb propagation	USA	Australia, EC
Deciduous nurseries	USA	EC (Belgium, France, UK), Israel, New Zealand
Rose nurseries	USA	Australia
Forest nurseries	USA	EC (France)
Strawberry nurseries	USA	Argentina, Australia, Canada, EC (Belgium, Spain, France, Italy), Israel, Lebanon, New Zealand
Raspberry nurseries	USA	EC (UK, France)
Turfgrass (sod)	USA	Australia

<sup>1</sup>Parties that have used methyl bromide for this use but have phased out its use or are phasing out its use under the 'Critical Use' Process or MLF projects

# UNEP MEBR CUE Quantities – 2011 & 2012

- Quantities for 2011 – Approved at 21 Meeting of the Parties Port Ghalib, Egypt
- Quantities for 2012 – MBTOC Recommended Quantities
  - Open Ended Working Group – Geneva – June 2010
  - 22 Meeting of Parties – Kampala, Uganda – November 2010

<b>Methyl Bromide Critical Use Exemptions</b>			
<b>Source of CUE Material (metric tonnes)</b>			
<b>Control Period</b>	<b>Production &amp; Consumption</b>	<b>Existing Stocks</b>	<b>Total CUE Approved</b>
2005	7,659.000	1,893.879	9,552.879
2006	6,823.707	1,258.046	8,081.753
2007	4,316.055	1,914.600	6,230.655
2008	4,595.040	760.309	5,355.349
2009	2,275.715	1,919.193	4,194.608
2010	1,955.775	1,028.108	2,983.883
2011	1,855.200	200.000	2,055.200
2012	993.706		993.706

<b>Methyl Bromide Critical Use Exemptions</b>			
<b>Sources of CUE Material (% 1991 baseline)</b>			
<b>Control Period</b>	<b>Production &amp; Consumption</b>	<b>Existing Stocks</b>	<b>Total CUE Approved</b>
2005	30.00	7.42	37.42
2006	26.73	4.93	31.66
2007	16.90	7.50	24.40
2008	18.00	2.98	20.98
2009	8.90	7.50	16.40
2010	7.66	4.02	11.68
2011	7.25	0.79	8.04
2012	3.89		3.89

# Methyl Bromide 2010 CUE

- Proposed Rule – October 2009

- No Enforcement Letter

- Production Under Proposed Rule
- Expired May 1, 2010

- Final Rule, May 3, 2010

- Reduced Production and Consumption
- Available Stocks

# Future Action

- Groundwork for Future Decisions Take Place at OEWG in June
- Need to Determine Commodity Specific Impacts
- Get Engaged if Trade is Important Issue
- Determination of Economic Impacts of Potential International Actions on Exempted Quantities
  - Caps
  - Critical Use Type Exemption Process