



DECISION

Date signed: 5 April 2018

Summary

Substance	Methyl Bromide
Application code	APP203465
Application type	To decide whether there are grounds for reassessment under the Hazardous Substances and New Organisms (HSNO) Act 1996 (the Act)
Applicant	Stakeholders in Methyl Bromide Reduction Inc.
Purpose of the application	To determine if there are grounds for reassessment of methyl bromide
Date application received	12 February 2018
Consideration Date	4 April 2018
Considered by	A Decision-Making Committee of the Environmental Protection Authority ("EPA")
Decision	Grounds exist for the reassessment of methyl bromide

1. Background

- 1.1. The hazardous substance, methyl bromide, hereafter described as “the substance”, was approved under the Act on 29 October 2004 via the Hazardous Substances (Fumigants) Transfer Notice 2004 and has the HSNO Approval Number of HSR001635. It was previously reassessed in 2010 in the Chief Executive Initiated Reassessment application HRC08002.
- 1.2. It is used as a fumigant to treat a number of products prior to their export to selected countries, and for quarantine applications in imported goods, collectively known as quarantine and pre-shipment (QPS) uses.
- 1.3. Five trade name products are covered by this HSNO approval. Their registration details are:

Trade name	Registrant	ACVM Registration Number	Registration Date	HSNO Approval Number
TRIPLE OCEAN BROMIDE	Triple Ocean Traders Limited	P008722	18 February 2013	HSR001635
AG FUME MB	Agricultural Fumigations Ltd	P003401	26 November 1985	HSR001635
Mainland MB – Methyl Bromide	Envirofume Limited	P008782	16 January 2014	HSR001635
Brima-Fume Methyl Bromide	Leicester's New Zealand Limited	P003888	3 August 1990	HSR001635
Membrom 100	Membrom NZ Limited	P009016	7 July 2014	HSR001635

- 1.4. The hazard classification of methyl bromide is: 2.1.1B, 6.1B (All), 6.1B (I), 6.1C (O), 6.6B, 6.8B, 6.9A (All), 8.2C, 8.3A, 9.1A (All), 9.1A (F), 9.2A, 9.3B, and 9.4A.
- 1.5. The purpose of this application is to decide whether there are grounds for the reassessment of the substance.

2. Application process

- 2.1. The application was formally received by the EPA on 12 February 2018 and the information supplied evaluated by staff of the EPA.
- 2.2. The application was considered on 4 April 2018 by a decision-making committee of the EPA.

3. Evaluation against the criteria in the Act

Significant new information relating to the effects of the substance has become available (section 62(2)(a))

3.1. This factor is not relevant to this application.

Another substance with similar or improved beneficial effects and reduced adverse effects has become available (section 62(2)(b))

3.2. This factor is not relevant to this application.

Information showing a significant change of use, or a significant change in the quantity manufactured, imported, or developed has become available (section 62(2)(c))

3.3. The applicant has provided information showing a 50% increase in methyl bromide used for QPS purposes in New Zealand since the last reassessment in 2010.

3.4. The Committee considers that the information provided demonstrates a “significant change in the quantity” used in, and hence imported into, New Zealand.

Other reasons for requesting a reassessment under section 62(2)

3.5. The applicant also requested that the research conducted since 2010 on the recapture of methyl bromide and the progress towards achieving the 2020 deadline for 100% methyl bromide recapture are examined to determine a set of controls based on evidence presented with their application.

3.6. The Committee has taken into account the additional information provided by the applicant in coming to a decision. It considers that evaluation of the materials presented on the recapture of methyl bromide and any review of the controls that apply to this substance should be considered further when evaluating any subsequent application to reassess methyl bromide rather than during this grounds for a reassessment.

4. Issues and concerns to Māori

4.1. The Committee has considered Māori perspectives regarding the applicant’s wish to determine whether there are grounds for the reassessment of the substance.

4.2. The Committee notes that wider public notification and/or consultation will be undertaken, including with iwi/Māori, if a subsequent reassessment application is received.

4.3. The Committee has taken into account the principles of the Treaty of Waitangi. There are no issues to be addressed in the context of this application. The Committee notes that these principles will be considered if a subsequent reassessment application is received.

5. International obligations

- 5.1. The Committee has considered New Zealand's international obligations, including the Montreal Protocol on Substances that Deplete the Ozone Layer, regarding the use of methyl bromide.
- 5.2. The Committee notes that these international obligations will be considered if a subsequent reassessment application is received.

6. Consideration

- 6.1. The Committee considers that there has been a significant change in the quantity of the substance used in New Zealand, and hence imported. Taking that into account, along with the additional information provided by the applicant, the Committee concludes that grounds exist under section 62 of the Act for the reassessment of methyl bromide.



Signed by: **Dr John Taylor**

Date: 5 April 2018

**Chair, Decision Making Committee
Environmental Protection Authority**
