

***Application APP203660: Modified  
Reassessment of Methyl Bromide***

***Response to Direction & Minute WGT025 of  
the Decision-making Committee (DMC)***

*Submitted by:*



**United Fresh**  
New Zealand Incorporated

P.O. Box 66047, Beach Haven, Auckland 0749  
0800 507 555 / 09 480 5057  
info@unitedfresh.co.nz

Submitted to ([reassessments@epa.govt.nz](mailto:reassessments@epa.govt.nz)) on November 05 2020

# Introduction

United Fresh New Zealand Incorporated (United Fresh) has over 28 years of experience supporting and promoting the fresh produce industry, working with the entire value chain, from seed producer and grower to consumer, providing leadership on pan-produce issues. Our membership includes growers, grower organisations, pack-houses, wholesalers, and service & logistics providers, as well as retailers. Our industry aims to provide New Zealand a healthy and safe supply of quality produce. Our vision is to create a sustainable fresh fruit and vegetable industry for New Zealand. United Fresh represents an industry that almost every New Zealander interacts with daily through the consumption of fresh fruit and vegetables.

On behalf of the New Zealand domestic produce industry, United Fresh therefore makes this submission on the proposed change in Methyl Bromide (MB) Controls (Controls) implementation date. The produce industry is a small user of MB, comprising under 0.5% of MB usage. However, the impact upon New Zealand consumers and the domestic fresh produce industry is potentially significant.

United Fresh represents an industry that almost every New Zealander interacts with on a daily basis. The proposed Controls could potentially impact upon our ability to maintain a sustainable and profitable industry that supplies fresh produce to all. Perishable fresh produce quality deteriorates over time. Any disruption to produce distribution timeframes will impact on fresh produce, rendering it unsaleable. The potential for domestic industry disruption due to changes to product supply availability and routes to market could be an unintended outcome if this submission is not carefully considered.

Prepared by The United Fresh Technical Advisory Group,  
Anne-Marie Arts, Food Safety Representative,  
Jacob Lawes, Senior Project Officer

# Situation Overview

Stakeholders in Methyl Bromide Reduction (STIMBR) submitted to the Environmental Protection Authority (EPA), on 25 March 2019, a reassessment application to consider the recapture requirements for the use of Methyl Bromide (MB). Currently, the approval for methyl bromide requires that any use of methyl bromide must include a process to recapture a significant amount of the residual substance post-use.

The control regarding recapture requirements set in the 2010 reassessment of methyl bromide, as reissued on 19 July 2020, was to take effect on 28 October 2020.

In response to a subsequent application for a waiver of this October 2020 deadline, received in the 13th Memorandum of Counsel, the DMC issued Direction and Minute WGT015 on 1 July 2020 waiving the recapture deadline of 28 October 2020 and directing that the time at which this comes into force is 28 April 2021.

On 21 October 2020, in the 21st Memorandum of Counsel, STIMBR submitted an application for a further waiver of this time frame; that is, until 28 October 2021. This application was received in accordance with section 59(3)(a)(i) and 59(3)(b)(i) of the HSNO Act.

The Decision-Making Committee (DMC) on 29<sup>th</sup> October 2020 directed that Submitters to the reassessment application will have five working days to consider whether the waiver, if granted, would prejudice them and provide comment on the waiver application.

## Response To WGT025

United Fresh is of the view that the changing of the implementation date will affect New Zealand's produce imports and exports, and therefore wishes to comment in support of the application to extend the recapture deadline to 28 October 2021.

United Fresh has previously made 3 direct written and oral submissions to the EPA on MB, as well as provided a supporting analysis document to STIMBR for the June 2019 Submission by STIMBR to the EPA.

Each previous United Fresh submission has analysed the likely impacts to our industry, with respect to the ability to effectively import produce, of the required quality and volumes expected by New Zealand consumers, as well as to export produce of the required quality and volumes expected by our international customers.

These previous submissions all found that the current Controls, as were proposed, were likely to significantly impact our industry, resulting in the potential loss of hundreds of millions of dollars.

This impact is a result of current technology being unable to meet the required Controls at the scale, cost, and speeds required by our industry to maintain a viable import and export supply chain.

United Fresh therefore agrees with STIMBR, and requests that to avoid our industry facing significant losses, the DMC accept the application for the further waiver, and direct that the time at which the Control comes into force is 28 October 2021.