



Re-evaluation Decision Document

RRD2004-01

Re-evaluation of Methyl Bromide

The purpose of this document is to communicate to registrants, pesticide regulatory officials and the Canadian public, the re-evaluation decision for methyl bromide in Canada.

Extensive label improvements have been put in place for methyl bromide products. As of 1 January 2005, other than for methyl bromide that has already been imported or that is recovered, recycled, reclaimed, used or for destruction, methyl bromide will only be manufactured, used, sold, offered for sale, imported or exported for purposes set out in the *Ozone-depleting Substances Regulations* (ODS Regulations, 1998). Critical use exemptions will require approval by Environment Canada and Parties to the *Montreal Protocol on Substances that Deplete the Ozone Layer* (Montreal Protocol). Emergency uses will require immediate approval by Environment Canada, but will be reviewed subsequently by the Parties to the Montreal Protocol. Quarantine and pre-shipment applications will continue to be allowed as set out in the ODS Regulations.

Please note that exemptions made by Environment Canada in the ODS Regulations under the *Canadian Environmental Protection Act* (CEPA, 1999) do not replace or obviate registration decisions made by the Pest Management Regulatory Agency (PMRA) under the *Pest Control Products Act* (PCPA). Registrants will be required to further amend their labels to effect compliance with government policy as reflected in the ODS Regulations for meeting Canada's commitments under the Montreal Protocol.

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1.0 Background

In Canada, methyl bromide consumption is being phased-out through implementation of the ODS Regulations, under CEPA. The consumption of methyl bromide is controlled through a transferable allowance system administered by Environment Canada. In comparison to 1991 levels, consumption of methyl bromide had been reduced by 50% in 2001 and an additional 20% in 2003.

1.1 PMRA regulatory action

The re-evaluation of 15 fumigants, including methyl bromide, was announced on 27 October 1980 (Memorandum to Registrants R-1-204).

Methyl bromide is a highly effective fumigant used to control insects, nematodes, weeds, and pathogens in crops, in forest and ornamental nurseries as well as in wood products. Its primary uses are for soil fumigation, postharvest protection and quarantine treatments. As of 31 December 2003, there were seven fully registered products in Canada: two technical grade active ingredients and five end-use products. Methyl bromide is not manufactured in Canada, but it is imported from the United States.

In the early 1990s, a label improvement program (LIP) was launched as part of the re-evaluation process for all fumigants. The label improvements implemented concerning fumigants that contain 100% methyl bromide, included the following:

- Upgraded precautionary procedures for all use scenarios (including fumigation of chambers, vaults, railroad cars, tractor trailer trucks, vans, buses, sea containers, tarpaulins, warehouses, grain elevators as well as shipboard and food processing plants) for the protection of workers and the environment.
- Inclusion of the precautionary statement: “Methyl bromide has an adverse effect on the ozone layer and is now controlled under the Montreal Protocol. All efforts should be made to prevent emissions and, where feasible, to recover and recycle.”
- Requirements that methyl bromide products be used only by trained/licensed applicators or people knowledgeable regarding the proper use of protective equipment, detector devices and emergency procedures.
- Requirements that methyl bromide applicators must placard or post warning signs at all entrances to the fumigated area in accordance with provincial regulations.
- Requirements for at least two people to be present at the fumigation site during all operations that may involve exposure to methyl bromide.
- Restrictions on re-entry into a fumigated area; re-entry is permitted only when concentration of methyl bromide is below 3 ppm using sensitive detectors.

- Requirements that methyl bromide applicators must wear NIOSH/MSHA-approved self-contained breathing apparatus (SCBA) or combination air supplied respirator/SCBA **during all operations** (e.g. introduction of the fumigant, initiation of aeration, testing for re-entry after aeration, attending to spills as well as leaks and removing warning signs) until the concentration of methyl bromide is below 3 ppm.
- Detailed tables outlining the commodities, pests, dosage and exposure time for fumigation.
- Clear instructions for the fumigation of wood and wood products.
- New information on the label under a new heading: Aeration Periods for Food Commodities.

In addition, label improvements, including precautionary statements enclosed in a box and detailed environmental precautions and disposal procedures, were implemented for methyl bromide products formulated with any other active ingredient.

1.2 Other actions affecting methyl bromide

The Montreal Protocol is an international treaty signed by over 180 countries, and is designed to control the production and consumption of certain ozone-depleting substances, including methyl bromide. Since 1987, Canada has promulgated regulations to meet its Montreal Protocol commitments. In Canada, methyl bromide consumption is being phased-out through the implementation of the ODS Regulations under CEPA. The consumption of methyl bromide is controlled through a transferable allowance system administered by Environment Canada. In comparison to 1991 levels, use of methyl bromide had been reduced by 50% in 2001 and an additional 20% in 2003. As of 1 January 2005, other than for methyl bromide that has already been imported or that is recovered, recycled, reclaimed, used or for destruction, methyl bromide will only be manufactured, used, sold, offered for sale, imported or exported for purposes set out in the ODS Regulations. Critical use exemptions will require approval by Environment Canada and the Parties to the Montreal Protocol. Emergency uses will require immediate approval by Environment Canada, but will be reviewed subsequently by the Parties to the Montreal Protocol. Quarantine and pre-shipment applications will continue to be allowed as set out in the ODS Regulations.

Quarantine application means the treatment, with methyl bromide, of a commodity, product, facility or means of conveyance where the treatment is intended to prevent the spread of, or to control or eradicate, pests of quarantine significance and is required by the laws of the importing country as a condition of entry, or by or under Canadian law.

Pre-shipment application means the treatment, with methyl bromide, within 21 days prior to export, of a commodity or product that is to be entirely exported to another country, or of a means of conveyance, where such treatment is required by the importing country or in support of Canada's sanitary or phytosanitary export programs.

The substantive criteria for **critical and emergency use** exemption have been developed by the Parties to the Montreal Protocol. Critical use exemptions will require approval by Environment Canada and the Parties to the Montreal Protocol. Emergency uses will require immediate approval by Environment Canada, but will be reviewed subsequently by the Parties to the Montreal Protocol.

The PMRA is working with other government agencies, including Environment Canada, the Canadian Food Inspection Agency as well as Agriculture and Agri-Food Canada, to implement the phase-out program and to promote and develop alternative strategies to methyl bromide. Currently, phase-out schedules and exemptions are harmonized with those of the United States Environmental Protection Agency and the European Union. The measures implemented during the LIP further protects workers and the environment during the phase-out period.

2.0 Regulatory decision

Extensive label improvements have been put in place for methyl bromide products. As of 1 January 2005, other than for methyl bromide that has already been imported or that is recovered, recycled, reclaimed, used or for destruction, methyl bromide will only be manufactured, used, sold, offered for sale, imported or exported for purposes set out in the ODS Regulations. Critical use exemptions will require approval by Environment Canada and the Parties to the Montreal Protocol. Emergency uses will require immediate approval by Environment Canada, but will be reviewed subsequently by the Parties to the Montreal Protocol. Quarantine and pre-shipment applications will continue to be allowed as set out in the ODS Regulations.

Please note that exemptions made by Environment Canada in the ODS Regulations under CEPA do not replace or obviate registration decisions made by the PMRA under the PCPA. Registrants will be required to further amend their labels to effect compliance with government policy as reflected in the ODS Regulations for meeting Canada's commitments under the Montreal Protocol.