



Methyl Bromide Recapture Update

23 August 2021

In April 2019, the New Zealand Environmental Protection Authority (EPA) began considering an application to reassess the proposed recapture requirements (the controls) for Methyl Bromide that were originally due to come into force in 2021.

Following industry and public feedback over the 2019 to 2021 period, the EPA has now announced a modified set of recapture requirements that will come into force on 1 January 2023.

Background

Methyl Bromide (MB) is a highly toxic colourless and odourless gas, which is used as a fumigant. MB is an Ozone Depleting Agent, which are internationally regulated by the Montreal Protocol. MB use was regulated internationally after the signing of the London Amendment to the Montreal Protocol in 1990. The London Amendment mandated that countries reduce MB use to zero by 2005, with the exception of the use for Quarantine and Phytosanitary Requirements (QPS), where acceptable fumigation replacements do not exist. No other usage of MB has been permitted in New Zealand since 2005 under this amendment.

The majority of products fumigated with MB within New Zealand are wood products destined for China and India. However, both imported and exported produce can also require MB treatment as part of phytosanitary requirements, which are regulated by the Ministry for Primary Industries (MPI) or the importing countries. As such, any change to the fumigation Controls for MB has the potential to affect the New Zealand produce industry's ability to import or export produce.

The Decision

On 11 August 2021, the EPA released their decision on the use and recapture of MB for phytosanitary purposes.

The changes relevant to the produce industry that will come into force 1 January 2023 are these:

- From 1 January 2023, 80 percent of methyl bromide will need to be recaptured from all containers fumigated with MB, increasing to 90% recapture on 1 January 2027 and 99 percent recapture from 1 January 2031. At present, there is no recapture requirement.
- The dosing requirements for containers (how much MB is used to fumigate each container) will change from being based on container volume, to sensor monitored dosing, that ensures the appropriate amount of MB is used, and no over or under-application occurs. From 1 January 2024, at least 50 percent of all fumigations must be dosed to concentration, increasing to 100 percent of all fumigations from 1 January 2027.
- When venting MB from any fumigation, windspeed must be at least two metres per second. There is no current windspeed requirement.
- Local councils, neighbouring marae and other neighbouring community places must be notified at least 24 hours before fumigation takes place. There are no current notification requirements, except where defined in the Health and Safety at Work Act (Hazardous Substances) 201 Regulations.

Impact on the Produce Industry

These changes will impact the ability of the produce industry to both export and import produce. The situations in which MB fumigation are required have not changed, and neither has the overall dosages, so the produce industry will still be required to use MB to the same level as without these controls.

What will change are two aspects:

- The cost of MB fumigation is likely to rise, to pay for the equipment to meet new regulations.
- Depending on the availability of equipment to meet recapture controls, and as a result for the need to hold a fumigated container until such time as the MB is sufficiently recaptured, some delays will become more prevalent in the fumigation process, especially in times of high demand.
- Delays to release of containers may impact the quality of some fresh produce fumigated.