

Methyl Bromide Critical Use Exemption Allocation: Pre-plant Perspective

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Bromide Alternatives and Emissions Reductions
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Allocation Impacts and Issues

- Creates Regulatory Driven Production Constraints
- Potential for Significant Economic Impact
- Concerns over Basic Fairness & Equity
- Many Process Issues yet to be Resolved
- Uncertainty and Risk

Grower Level Frame of Reference

- Methyl bromide has been cornerstone of production for over 30 years.
- Concentrated research effort over the past ten years has not consistently and reliably replaced the spectrum of pest management provided by methyl bromide.

Grower Level Frame of Reference

- Belief that forced methyl bromide replacement creates a severe competitive disadvantage.
- Lack of confidence in conclusions of “government assessment” of the real world need for methyl bromide -- concerns over “political science” and the level of understanding of complexities of production practices.

Current Rule Making Process

- Dealing with a rule to provide framework of distribution for quantities of material that are unknown.
- Different conditions identified across sectors quantified in the U. S. Critical Use Nomination.
- Potential conflicts between CUE allocation process and QPS rule.
- Lack of clarity under the Clean Air Act to regulate at the grower level.

Florida Industry Initiative

- Cooperative effort – early stages
- Based on adoption of agreed upon criteria
- Heavily dependent on actions to define “qualified user” at the national level.

Florida Initiative – Guiding “Principles”

- Any methyl bromide produced under the CUE is reserved for use by the industry sector or commodities that participated in the CUE application process.
- Criteria used to establish the quantities nominated for the Critical Use Nomination at the national level must be clearly defined to allow application at the user level to establish the “qualified user”.

Florida Initiative – Guiding “Principles”

- The decision process on Allocation must be totally clear and transparent to those who made the applications.
- Regulatory burdens created to assure appropriate distribution must be minimized to the maximum extent possible.
- The current distribution system from the manufacturer to the end user must be maintained.

Florida Initiative – Guiding “Principles”

- Any process developed to assure compliance must be fair and equitable for all “qualified users”.
- The compliance process and enforcement guidelines must be clearly defined.

Where do the Grower/Users go from Here ???

- Wait and see what happens in Nairobi.
- Prepare for publication and response to Draft Rule.
- Continue to work on refinements to best available alternatives.