Message

From: Nishida, Jane [Nishida.Jane@epa.gov]
Sent: 4/8/2020 3:12:23 PM
To: Smith, Walker [Smith.Walker@epa.gov]
Subject: FW: EPA input -- USMCA environmental assessment gaps analysis

FYI – I also left message with Mexico for another call this week.

From: Prescott, Jennifer Y. EOP/USTR <Jennifer_Prescott@ustr.eop.gov>
Sent: Wednesday, April 08, 2020 10:38 AM
To: McIntosh, Chad <mcintosh.chad@epa.gov>
Cc: Nishida, Jane <Nishida.Jane@epa.gov>; Leo, Diana <Leo.Diana@epa.gov>; Zimmer, Nathaniel <zimmer.nathaniel@epa.gov>
Subject: RE: EPA input -- USMCA environmental assessment gaps analysis

Thanks Chad. We will set up a call with our ag expert, who has been following this pesticide issue closely.
But more urgently, I want to circle back on the OECD task force plan of action and outreach. I understand that we do NOT yet have Canada and Japan on board with our alternate proposal, and we have less than 24 hours to solidify their support. What is the plan for higher level outreach to both, as well as others like Chile and Korea? How can we/USTR be helpful? I'm happy to make calls today.
Thanks, Jennifer

From: McIntosh, Chad <mcintosh.chad@epa.gov>
Sent: Tuesday, April 7, 2020 3:22 PM
To: Prescott, Jennifer Y. EOP/USTR <Jennifer_Prescott@ustr.eop.gov>
Cc: Nishida, Jane <Nishida.Jane@epa.gov>; Leo, Diana <Leo.Diana@epa.gov>; Zimmer, Nathaniel <zimmer.nathaniel@epa.gov>
Subject: EPA input -- USMCA environmental assessment gaps analysis

Jennifer,

On our last call, you asked for input on for the USMCA environmental assessment gaps analysis. Please see below.

Chemical/Pesticide Regulation:

Mexico's repeated rejections of chemical/pesticide import permit applications from U.S. manufacturers are a significant and growing problem for both EPA and U.S. industry. The export of products such as glyphosate (active ingredient in Roundup) and other active ingredients have been stopped at the U.S.-Mexico border, despite having the appropriate permits. Mexico's Ministry of Environment (SEMARNAT) has stated the rejection of these

imports is due to the high environmental risks to human health and the environment posed by such products and active ingredients. However, domestic regulations are either inconsistent with such statements or have not gone through a transparent domestic process with the appropriate notification to the World Trade Organization (WTO).

In addition, there is a lack of transparency regarding Mexico's implementation of multilateral environmental agreements to which it is a Party. Mexico does not seem to have the domestic regulations in place to implement, or consistently implement, those obligations. For example, Mexico's obligations under the Rotterdam Convention have been used as a reason to block chemical/pesticide imports from the U.S., yet the underlying domestic regulations do not appear to have been executed transparently or adequately. There are also multiple amendments to the Stockholm Convention that Mexico has ratified, but for which there are no apparent underlying domestic prohibitions.

We would be happy to arrange a call to discuss further or provide more detailed information

Chad

W.C. McIntosh
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