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Subject: FW: Thailand Update on AI Ban
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Sent: Wednesday, September 18, 2019 2:53 PM
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Subject: Thailand Update on AI Ban

Zhulieta –

To follow up on our conversation, here is a brief update on Thailand and the evolving focus of some politicians in Thailand who seek to move well above and beyond a two year review that established AI restrictions for three AI's: glyphosate, chlorpyrifos and paraquat. Industry worked closely with the government over the last two years and is committed to implementing the restrictions.

We think there is real value for USG to seek clarity with the Ag Minister on the developing policy and engaging the Ministry and GOT more broadly similar to the USDA/EPA engagement currently being conducted on similar issues in Vietnam. On our end, we are educating farmer groups, plantations and business partners so that they too can articulate concerns and the need for a rigorous, science based process.

As I noted, our particular interest is glyphosate, which is included in the list of AI's: glyphosate, chlorpyrifos and paraquat. Clearly, the AI comparisons are not apples to apples, but this is where we are.

Below is a brief summary of the developments.

Summary of Thailand Crop Protection Developments

- About two years ago, the Director General of the Department of Agriculture (DoA) announced that he supported the restrictions of 3AIs; glyphosate, chlorpyrifos and paraquat. This triggered a regulatory assessment and a stakeholder consultation process that lasted nearly two years to determine how the restrictions should be implemented.
- The National Hazardous Substances Committee (NHSC), responsible for approving pesticides, approved the proposed restrictions early this year. Industry is cooperating with the DoA to implement and adhere to the regulations.

- Following the election in Thailand held in March, new officials have taken up the most senior roles in the agriculture ministry.
- The new Deputy Minister of Agriculture, Mananya Thaiset, is from a different party from the Minister of Agriculture, Chalermchai Sri-on. The new Deputy Minister is standing in for her brother until he is cleared to take up the position. The Deputy Minister is from the same party as the Minister for Public Health and seeks to exert more pressure on the use of crop protection.
- **We understand the Deputy Minister is taking the following actions:**
 1. Working on a submission that will propose bans on one, two or all three pesticides, depending on the conclusions of a study being undertaken by the ministries of agriculture and public health. The ban proposal will be submitted for the next NHSC meeting to be held in September
 2. Has paused the approval process for all ag chemicals
 3. Developing a new law to control manufacturing, import and export of agricultural chemicals
- The Deputy Minister needs NHSC approval for these decisions since DoA regulates chemicals under the NHSC. Implementation without approval that affects peoples' rights could violate the Criminal Code.
- **The Agriculture Minister and other high level officials continue to support the existing three AI restriction measures** (the ag ministry notification for the restrictions has already been published in the Royal Gazette and will be effective on October 20th unless NHSC changes its decision)
- **The Agriculture Minister has been concerned that banning these ag chemicals will impact oil palm and rubber plantations which are large agricultural industries in southern** Thailand – the home base of the minister's Democrat Party. However, we remain unsure about what decision he will ultimately take.

Last Friday, there was news released to the media by the Minister of Ag and Minister for Industry, indicating that they will draw up a proposal to be submitted to the Prime Minister this week to propose the banning of 2 Ais, Paraquat and chlorpyrifos. They did not mention Glyphosate and we heard from our sources that the Ministers were of the view that Glyphosate was safe based on the several studies and papers they have read. They were also concerned that by banning Glyphosate, they will be incurring the unhappiness of farmers which will likely lead to protest.

However, we heard this week that The National Assembly Legislature NLA (Parliament) proposed to set up an ad hoc committee to review the ban on the 3 Ais with the view to banning them within 60 days.

We do not have a high degree of confidence that the outcome of this process will be will transparent or positive for the industry. The concern of the Ag industry is that the recommendation of this Ad

hoc committee will overrule the National Hazardous Substance Committee which was the only decision making body in the past on this matter.

Please let me know if you have any additional questions.

Many thanks,
Jim

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