

## FW: TH Glyphosate

---

**From:** "Prado, Marta M. EOP/USTR" <marta\_m\_prado@ustr.eop.gov>

**To:** "Ehlers, Karl R. EOP/USTR" <karl\_r\_ehlers@ustr.eop.gov>

**Date:** Thu, 24 Oct 2019 09:22:41 -0400

Some helpful information/insights

Ms. Marta M. Prado  
Deputy Assistant U.S. Trade Representative for Southeast Asia and the Pacific  
Office of the United States Trade Representative  
Executive Office of the President  
Tel: 202 395-6216

---

**From:** TRAVIS, JAMES K [AG/1920] <Exemption 6@bayer.com>  
**Sent:** Thursday, October 24, 2019 7:36 AM  
**To:** Anderson, Lisa M. EOP/USTR <Lisa.M.Anderson@ustr.eop.gov>  
**Cc:** TRAVIS, JAMES K [AG/1920] <Exemption 6@bayer.com>; Prado, Marta M. EOP/USTR <Marta\_M\_Prado@ustr.eop.gov>  
**Subject:** [EXTERNAL] Re: Summary of Thailand Ban - Developments Moving Quickly

Lisa,

In advance of our call, please find responses from my Bangkok based colleagues to your questions that I received overnight. Looking forward to our discussion.

Jim

1. Q: Is there a copy of the NHSC decision to put glyphosate on the banned list? Having concrete proof that Thailand has taken this action, helps strengthen USTR's message from a legal standpoint.

1. A: There is a press release in Thai of NHSC meeting on Oct 22<sup>nd</sup>. It was distributed at a press conference convened by Chairman of NHSC after the meeting finished. Attached is a copy of press release for your reference and news report in English from Thai Public Broadcast Service (><https://www.thaipbsworld.com/three-controversial-farm-chemicals-to-be-banned-from-december-1st/><).

2 Q: My understanding is that anything on the hazardous substance list (category 4) is not permitted to be manufactured, imported, or exported. This would seem to have non-ag implications and thereby, there might be more non-ag interests at stake here (both internationally as well as with Thai domestic stakeholders). If so, would Bayer be able to identify them?

2 A: Under the Hazardous Substance Act, chemicals in category 4 are prohibited to be manufactured, imported, exported and possessed in all areas of activities (ag and non-ag). So far only farmers have made their concerns on the ban in public. While ag product importers are working to address trade impact issue at policy level with no intention to voice their concerns in public as their actions may be twisted by NGOs to dilute farmers' voice to overturn the decision.

3 Q: Is the projected December date of implementation only because it would take Thailand that long to revise the annex put out by the Ministry of Public Health (or Ministry of Industry?) on the category 4 hazardous substances list?

3 A: NHSC voted to start the ban of 3 chemicals [on December 1<sup>st</sup>, 2019](#) onward. So MoI, as the responsible agency, must complete amendment of category 4 list within November to comply with resolution from NHSC meeting. Here are the next steps:

1. The agriculture ministry will draft the ban notification and develop a plan to manage farmers concerns and existing inventory.
2. The industry ministry will draft amendments to category lists, reclassifying the three chemicals as category four pesticides (the group of banned of products).
3. The agriculture and industry ministries then submit their draft documentation to the NHSC for approval.
4. Once the NHSC approves the documentation, the agriculture ministry will begin implementing the ban and the industry ministry will officially publish the revised category four list.
5. Zero tolerance to residues to be applied [from December 1, 2019](#) (possibly sooner if the industry ministry secures earlier NHSC approval for the amended category four list).

4 Q: Personal motivations of the DM of Agriculture: this is a very politicized effort, to be sure, led by the DM. However, it would be useful to know her personal motivations (i.e., is she a diehard advocate of organic food; and/or staunch environmentalist who eschews all synthetic chemical applications). Knowing what motivates her may help with USG counter arguments.

4 A: She has no record of being diehard advocate of organic food and/or staunch environmentalist. She was a provincial mayor and made a substitute of her politician brother who has negative reputation to take DM position. She may want to create reputation for herself, clean up image for her brother and promote her political party. In addition, her political party (Bhumjaithai Party) has strong interest in cannabis for medicine and limited recreational which is the same interest with NGOs. (There is also strong suspicions that the powerful member of her party has a business connection with glufosinate manufacturer in China, but that has yet to be verified)

5 Q: What other Thai government ministries and/or Thai stakeholders might be in a position to influence this situation?

5 A: All efforts should be focused on the Prime Minister

---

*Jim Travis*  
**Senior Director, International Government Affairs & Trade**

////////////////////

Bayer U.S.  
801 Pennsylvania Avenue, NW  
Suite 745  
Washington, DC 20004  
Direct: **Exemption 6**  
Cellular: [\(202\) 255-1308](tel:(202)255-1308)  
**Exemption 6** [bayer.com](http://bayer.com)

