

U.S. - MEXICO - CANADA AGREEMENT

U.S. Environmental Protection Agency Office of Enforcement and Compliance Assurance

MAIN OBJECTIVES

EPA will enhance efforts to target illicit gains associated with international pollution arbitrage, including ensuring U.S. enforcement of its environmental laws under USMCA Article 24.4. EPA will also contribute expertise and support capacity building with respect to USMCA Articles 24.8 (Multilateral Environmental Agreements), 24.9 (Protection of the Ozone Layer), 24.10 (Protection of the Marine Environment from Ship Pollution), and 24.11 (Air Quality). EPA will address these objectives, as well as those of Article 24.25 (Environmental Cooperation), to expand cooperative relationships and achieve shared environmental goals.

BACKGROUND

The United States, Mexico, and Canada are significant trade partners. Illicit chemicals, products, and substances pose potentially serious threats to human health and safety, the environment, economies, businesses and farmers, and national security. Illegal trade can also weaken the rule of law and negatively impact legal trade. EPA and USTR are working in partnership to address these challenges and promote sustainable North American imports and exports. Through the USMCA, the 3 countries work jointly to protect human health and the environment by enforcing the laws regulating the importation, sale, and distribution of chemicals, products, substances that impact climate change, and ozone-depleting substances.

U.S. EPA's USMCA Project Goals



Combat the illegal trade of regulated chemicals, products and substances (such as **pesticides, ozone-depleting substances (ODS), HFCs, hazardous waste, and non-compliant engines**) that pose a risk to human health and the environment.

Increase and improve
vessel pollution
enforcement



Outcomes to Date (as of March 2024):

- ◆ 875 border inspections conducted
- ◆ 816 samples collected and analyzed
- ◆ 251 prosecutions and seizures
- ◆ 325 vessel inspections conducted
- ◆ Click to see: [EPA Reminder About Clean Water Act Vessel General Permit Requirements](#)

Purchase **equipment** to be used during inspections and in the laboratory to increase EPA's ability to identify illegal imports of ODSs and other substances.



Equipment purchased by EPA's National Enforcement Investigations Center



FIBE Project training event

Training and capacity building for EPA staff, other Federal Agencies, State & Tribal inspectors, and Canadian & Mexican counterparts.

Promote improved **communications** and exchange of information with Mexican and Canadian environmental enforcement counterparts.

- Outcomes to Date (as of March 2024):**
- ◆ 498 Inspectors trained
 - ◆ 52 border crossing locations with improved knowledge & capacity in sampling & analysis of chemicals
 - ◆ 6 bi-lateral Environmental Steering Committee meetings held with Canada and Mexico

Combating the Illegal Trade of Pesticides, ODS, & HFCs



FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act) Imports Border Enforcement (FIBE)

This USMCA funded project included hands on training for Customs and Border Protection Officers in FIFRA and CAA (Clean Air Act) import requirements, real time denials of non-compliant products, and pesticide sampling for product integrity. Other participants included state and Tribal inspectors, U.S. Department of Agriculture Officers, and the Bureau of Consumer Protection. In FY24, the project expanded to include Ozone Depleting Substances (ODS) and HFCs.



Photos from EPA border inspections conducted under FIBE project

- FIBE Outcomes to Date (as of March 2024):**
- ◆ 50 border operations with over 2,000 shipments inspected; approximately 25% of those shipments were determined to be non-compliant with EPA regulations and recommended for re-export.
 - ◆ Over 150 Notice of Refusal of Admissions (NORAs) posted for public awareness <https://yosemite.epa.gov/oa/rhc/epaadmin.nsf>.
 - ◆ 43 Notice of Refusals issued for FIFRA related products
 - ◆ 13 Ports of Entry visited for training and/or operations