

April 9, 2001

Commission for Environmental Cooperation  
393, rue St-Jacques Ouest, bureau 200  
Montreal (Quebec) Canada H2Y 1N9

Christine Todd Whitman, U.S. NAAEC Council Member  
US Environmental Protection Agency  
401 M Street, S. W.  
Washington, DC 20460

Dear Commission:

In conjunction with the signing of the North American Free Trade Accord (NAFTA) Canada, Mexico and the United States became signatories to the North American Agreement on Environmental Cooperation (NAAEC). NAAEC Articles 14 and 15 provide a mechanism by which "any non-governmental organization or person established or residing in the territory of a Party to the Agreement" may make a "submission on enforcement matters."

Please, under the provisions of NAAEC Articles 14 and 15 accept my letter herein as a formal submission that the government of Canada has and continues to fail in its obligation as enumerated in Article 2(3) infra.

"Each Party shall consider prohibiting the export to the territories of the other Parties of a pesticide or toxic substance whose use is prohibited within the Party's territory. When a Party adopts a measure prohibiting or severely restricting the use of a Pesticide or toxic substance in its territory, it shall notify the other Parties of the Measure, either directly or through an appropriate international organization."

More specifically, Canada has failed to issue a prohibitory and/or injunctive order halting the export to the United States, by AAA Packaging, of products containing the banned hazardous substance "isobutyl nitrite" regulated by the Consumer Product Safety Act, Title 15 United States Code § 2051-2084. Importation of the banned hazardous product isobutyl nitrite, 15 USC § 2057 et seq., is prohibited, 15 USC § 2066.

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04/12/2001

AAA Packaging--Submission

A14/SEM/01-002/01/SUB  
DISTRIBUTION: General  
ORIGINAL: English

The aforesaid unlawful export scheme was chronicled on or about January 2001 in a series of articles written by Vancouver Sun Investigative Reporter Rick Ouston (attached infra).

Insofar as the NAAEC Agreement does not allow electronic submissions I am transmitting the same via facsimile as well as through our respective postal services.

Respectfully yours,