



**United Nations  
Environment  
Programme**



Distr.: General  
21 October 2008

English only

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**Twentieth Meeting of the Parties to the  
Montreal Protocol on Substances  
that Deplete the Ozone Layer**

Doha, 16–20 November 2008

Item 4 (c) (iii) of the provisional agenda\*

**Discussion of Montreal Protocol-related issues:**

**issues related to essential uses:**

**essential uses and campaign production of CFCs for metered-dose inhalers**

## **Comment received by the Ozone Secretariat on the proposal of the co-chairs of the contact group on essential uses and campaign production of CFCs for metered-dose inhalers**

At its twenty-eighth meeting, the Open-ended Working Group established a contact group to consider proposals submitted on issues associated with essential uses and campaign production of CFCs for metered-dose inhalers. After several days of discussion, the co-chairs of the contact group presented a summary and way forward to the Working Group, which can be found in chapter III of document UNEP/OzL.Conv.8/3-UNEP/OzL.Pro.20/3. A report by the co-chairs was posted on the Secretariat's website and Parties were invited to provide their comments. The annex to the present note includes the only submission received by the Secretariat in that regard prior to 21 October 2008. The submission is presented as received and has not been formally edited.

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\* UNEP/OzL.Pro.20/1.

## **Annex**

### **Australia – Comments on the Co-chairs of the contact group on essential uses and campaign production of CFCs for metered-dose inhalers**

Mr. Marco Gonzalez  
Executive Secretary, Ozone Secretariat  
United Nations Environment Programme  
P.O. Box 30552  
Nairobi 00100  
KENYA

Dear Mr. Gonzalez,

I am writing to provide you with comments on the issue of CFC MDI EUEs for Article 5 countries, as invited by the co-chairs of the contact group on campaign production in their report to the Open-Ended Working Group meeting held 7-11 July 2008.

Australia considers that the first priority of the meeting of Parties is to ensure that a process for Article 5 countries to nominate for Essential Use Exemptions is in place by the end of 2008, so that nominations for 2010 may be assessed by the TEAP in 2009. Australia therefore welcomes the contact group focusing on this element of their mandate at the OEWG and considers this element of the mandate should also be a high priority at the MOP.

Australia also appreciates the efforts of the TEAP MTOC in highlighting those decisions that it considers require amendment or updating to ensure a smooth process for an EUE nomination process is in place for A5 countries. Ozone Secretariat legal review of these highlighted decisions will give Parties a degree of confidence about those decisions that will require amendment.

We consider that given the very large number of alternatives now on the market, and the very long lead time that all countries have had to transition to CFC-free MDIs, that more information may indeed be required from A5 countries than has been required for non-A5 countries in the past. That is not to say that information requirements should be onerous, and we consider that A5 countries will need to ensure that they provide concise information that meets TEAP requirements. The proposal that the TEAP could provide short-term technical advice to A5 countries is one that may need more consideration and perhaps the advice of the TEAP co-chairs should be sought on the technical and ethical concerns that such a course of action might engender.

In relation to the requirement for transition strategies that have been required for non-A5 countries, we point out that these transition strategies are not the same as transition strategies that have been funded by the Multilateral Fund. Where MLF-funded strategies exist, they may be submitted of course as proof of a transition strategy being in place, but we consider that A5 countries that do not have a MLF-funded strategy would not be disadvantaged by its absence. A5 countries need to demonstrate they have a phase-out plan in place to transition to CFC-free alternatives, and such a plan need not be as comprehensive as MLF-funded plans. We do not see that any new transition strategies need to be funded by the MLF for the purposes of the EUE process.

In relation to the issue of campaign production, we agree with some other delegations that year-by-year production is unlikely to be feasible and that a final campaign production of pharmaceutical-grade CFC will most likely be required. We consider that this issue may be best considered in 2009 once the TEAP have a better understanding of national level requirements.

I hope these comments are of assistance to the co-chairs in their preparation of a draft decision for MOP consideration.

Yours sincerely

Patrick McInerney  
Director  
Ozone and Synthetic Gas Team  
September 2008

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