



# New Zealand Gazette

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## ENVIRONMENTAL RISK MANAGEMENT AUTHORITY

HAZARDOUS SUBSTANCES  
(PESTICIDES) (AMENDMENT)  
TRANSFER NOTICE 2006

PURSUANT TO THE HAZARDOUS SUBSTANCES  
AND NEW ORGANISMS ACT 1996

## Hazardous Substances and New Organisms Act 1996

### Hazardous Substances (Pesticides) (Amendment) Transfer Notice 2006

Pursuant to section 160A of the Hazardous Substances and New Organisms Act 1996, (in this notice referred to as **the Act**) the Environmental Risk Management Authority gives the following notice.

#### 1 Title

- (1) This notice is the Hazardous Substances (Pesticides) (Amendment) Transfer Notice 2006.
- (2) In this notice, the Hazardous Substances (Pesticides) Transfer Notice 2004 (Supplement to the *New Zealand Gazette*, 15 June 2004, No. 72, page 1645 as amended by Supplement to the *New Zealand Gazette*, 17 December 2004, No.167, page 4183) is called “the principal notice”.

#### 2 Commencement

This notice comes into force on 1 July 2006.

#### 3 Interpretation

Clause 3 of the principal notice is omitted and the following substituted:

In this notice, unless the context otherwise requires—

- (a) words and phrases have the meanings given to them in the Act and regulations made under the Act; and
- (b) the following words and phrases have the following meanings:

**aerial application** means application from an aircraft

**effective emetic** means any substance that meets the requirements of the Food and Agricultural Organisation of the United Nations (FAO) publication *Specifications and Evaluations for Agricultural Products: Paraquat Dichloride, 2003*

**exportation** means any shipment in any craft for transportation to a destination outside New Zealand

**export-only substance** means—

- (a) a hazardous substance listed in Table 1 of Schedule 1 where that substance is in a package, and that package is destined for exportation; or
- (b) a hazardous substance listed in Table 2 of Schedule 1

**multiple package** means a package consisting of two or more inner packages

**stenching agent** means any substance that, when added to a hazardous substance, imparts to that hazardous substance an offensive stench that is readily distinguishable from the aroma of any beverage, whether or not it is intended to serve any other purpose

**UN Model Regulations** means the 14<sup>th</sup> revised edition of the Recommendation on the Transport of Dangerous Goods Model Regulations, published in 2005 by the United Nations

**variation code**, in relation to a hazardous substance, means a number set out in the column entitled “variation code(s)” opposite the description of the substance in Schedule 1

#### **4 Deemed assessment and approval**

- (1) On the commencement of this notice, the hazardous substances described in Tables 1, 2 and 3 of Schedule 1 to this notice are no longer subject to the provisions of Parts 11 to 15 of the Act.
- (2) Each hazardous substance described in Tables 1, 2 and 3 of Schedule 1 to this notice is deemed to have been assessed and approved by the Authority under section 29 of the Act.

#### **5 Deemed hazard classification**

Each hazardous substance described in Tables 1, 2 and 3 of Schedule 1 to this notice is deemed to have the hazard classifications specified opposite its description in that Table.

#### **6 Amendments to Schedule 1 to principal notice**

Schedule 1 to the principal notice is amended—

- (a) by, after the explanatory notes and before the list of hazardous substances, inserting the following:

##### **Table 1**

##### **Pesticides that are for use in New Zealand**

- (b) by, in Table 1, in their appropriate alphabetical order, inserting the hazardous substances, hazard classification(s) and variation code(s) described in Table 1 of Schedule 1 to this notice; and
- (c) by after Table 1, inserting Tables 2 and 3 as set out in Schedule 1 to this notice; and
- (d) in the manner indicated in Schedule 2 to this notice.

#### **7 Changes to controls**

The controls set out in Schedule 2 to the principal notice are amended in the manner indicated in Schedule 3 to this notice.

#### **8 Other obligations and restrictions**

- (1) In clause 7 of the principal notice, immediately before “Schedule 3”, insert “Schedule 2A (new controls for pesticides) and”.

- (2) The controls set out in Schedule 4 to this notice are imposed as controls under section 160B of the Act applying to the relevant hazardous substances described in Schedule 1 to the principal notice and inserted immediately after Schedule 2 to the principal notice as a new Schedule 2A (New controls relating to pesticides) to the principal notice.
- (3) The controls set out in Schedule 3 to the principal notice are amended in the manner indicated in Schedule 5 to this notice.

## Schedule 1

### List of substances (pesticides) to be transferred

Table 1

#### Pesticides that are for use in New Zealand

Substance	Hazard classification(s)	Variation code(s)
Wettable powder containing 150 – 200 g/kg <b>carbaryl</b> and 150 – 200 g/kg mancozeb	6.1D, 6.4A, 6.5B, 6.7B, 6.9B, 9.1A, 9.2C, 9.3C, 9.4B	4, 7, 11, 14
Suspension concentrate containing 500 – 750 g/litre <b>chlorothalonil</b> (Substance B)	6.1B, 6.3B, 6.5B, 6.7B, 6.9A, 8.3A, 9.1A, 9.2B, 9.3B	14
Solid containing 50 – 55 g/kg <b>chlorpyrifos</b>	6.1D, 6.9B, 9.1A, 9.2C, 9.3B, 9.4A	4, 11, 14
Ready to use liquid containing 2.5 g/litre <b>cyproconazole</b> and 1 g/litre iodocarb (Substance C)	6.5B, 6.8B, 9.1B	7, 14
Suspension concentrate containing 2.0 – 2.5 g/litre <b>deltamethrin</b>	9.1A, 9.4B	4, 11, 14
Emulsion (oil in water) containing 600 g/litre <b>diazinon</b>	6.1D, 6.5B, 6.8B, 6.9A, 9.1A, 9.2D, 9.3A, 9.4A	4, 7, 11, 14
Suspension concentrate containing 400 g/litre <b>dodine</b> (Substance B)	6.1D, 6.3A, 6.4A, 6.5B, 6.9B, 9.1A, 9.3C, 9.4C	4, 7, 11, 14
Ready to use liquid containing 50 – 100 g/litre <b>fatty acids</b>	6.3B, 8.3A, 9.1D	14
Bait containing 16.5 g/kg <b>hydramethylnon</b> (Substance B)	6.3B, 6.5B, 6.8B, 6.9B, 9.1A	2, 7, 11, 14
Liquid containing 75 – 125 g/litre <b>permethrin</b>	3.1D, 6.1C, 6.3B, 6.4A, 6.5A, 6.5B, 6.9B, 9.1A, 9.4A	2, 11, 14
Wettable powder containing 800 – 975 g/kg <b>spinosad</b>	6.1E, 6.3B, 6.4A, 6.9B, 9.1A, 9.4A	4, 11, 14
Suspension concentrate containing 720 – 800 g/litre <b>sulphur</b> (Substance B)	6.4A, 6.5B, 9.1D	14
Wettable powder containing 650 – 750 g/kg <b>tebufenozide</b>	6.9B, 9.1A	4, 11, 14
Gel containing 250 g/litre <b>thymol</b>	6.1E, 6.3A, 9.1D	14

Table 2

## Pesticides that are manufactured for exportation

Substance	Hazard classification(s)	Variation code(s)
Liquid containing 30 – 50 g/litre <b>1-naphthylacetic acid</b>	6.3A, 6.4A, 6.5A, 6.5B, 6.8B, 6.9B, 9.1C, 9.2C	14
Liquid containing 600 – 700 g/litre <b>2,4-D</b> as the amine salt	6.1D, 6.3B, 6.4A, 6.5B, 6.9A, 9.1A, 9.2A, 9.3B	2, 11, 14
Liquid containing 725 – 850 g/litre <b>2,4-D</b> as the butyl ester	6.1D, 6.3B, 6.4A, 6.5B, 6.7B, 6.9A, 9.1A, 9.2A, 9.3C	2, 11, 14
Liquid containing 140 – 180 g/litre <b>2,4-D</b> , 210 – 250 g/litre ametryn and 0.5 – 1.5 g/litre bronopol	6.1D, 6.3A, 6.4A, 6.5A, 6.5B, 6.8B, 6.9A, 9.1A, 9.2A, 9.3B	2, 11, 14
Liquid containing 250 – 270 g/litre <b>2,4-D</b> as the triisopropanolamine salt and 50 – 100 g/litre picloram as the triisopropanolamine salt	6.1D, 6.3A, 6.5B, 6.9A, 8.3A, 9.1B, 9.3B	14
Liquid containing 325 – 400 g/litre <b>atrazine</b>	6.1D, 6.3B, 6.4A, 6.9B, 9.1A, 9.2A, 9.3C	2, 11, 14
Liquid containing 50 – 90 g/litre <b>carbendazim</b>	6.1E, 6.6A, 6.8A, 6.9B, 8.3A, 9.1A, 9.2C	2, 11, 14
Liquid containing 65 – 75 g/litre <b>carbendazim</b> and 75 – 85 g/litre dodine	6.1E, 6.3B, 6.6A, 6.8A, 6.9B, 8.3A, 9.1A, 9.2C, 9.3C	2, 11, 14
Liquid containing 250 – 350 g/litre <b>chlorpyrifos</b>	6.1C, 6.3B, 6.4A, 6.9A, 9.1A, 9.2B, 9.3A, 9.4A	14
Liquid containing 400 – 500 g/litre <b>chlorpyrifos methyl</b>	6.1E, 6.9A, 8.3A, 9.1A, 9.4A	2, 11, 14
Solid containing 750 – 900 g/kg <b>clopyralid</b> as the potassium salt	6.1E, 6.3A, 8.3A, 9.1C, 9.2A, 9.3C	2, 11, 14
Liquid containing 290 – 330 g/litre <b>copper sulphate pentahydrate</b>	6.1D, 6.3A, 6.5A, 6.5B, 6.8B, 6.9A, 8.3A, 9.1A, 9.3B	2, 11, 14
Liquid containing 125 – 150 g/litre <b>cyhalothrin</b>	6.1C, 6.3B, 6.4A, 6.5B, 6.9A, 9.1A, 9.3B, 9.4A	14
Liquid containing 100 – 150 g/litre <b>haloxyfop</b> [(R)-isomer] as the methyl ester	6.1E, 6.9B, 8.3A, 9.1B	14
Liquid containing 450 – 550 g/litre <b>haloxyfop</b> [(R)-isomer] as the methyl ester	3.1D, 6.1D, 6.3B, 6.4A, 6.9B, 9.1A, 9.3C	2, 11, 14
Liquid containing 340 – 380 g/litre <b>indolybutyric acid</b>	6.1C, 6.5A, 6.5B, 6.8B, 6.9A, 8.2C, 8.3A, 9.3B	14
Solid containing 750 – 850 g/kg <b>isoxaben</b>	6.3B, 6.4A, 6.7B, 9.1D, 9.2A	2, 11, 14

<b>Substance</b>	<b>Hazard classification(s)</b>	<b>Variation code(s)</b>
Liquid containing 350 – 450 g/litre <b>mancozeb</b>	6.3B, 6.4A, 6.5A, 6.5B, 6.9B, 9.1A	2, 11, 14
Liquid containing containing 300 – 350 g/litre <b>mancozeb</b> and 35 – 40 g/litre metalaxyl	6.3B, 6.4A, 6.5B, 6.8A, 6.9B, 9.1A	2, 11, 14
Liquid containing 400 – 450 g/litre <b>MCPA</b> as the potassium salt and 25 – 50 g/litre picloram as the potassium salt	6.1D, 6.9A, 8.2B, 8.3A, 9.1A, 9.2A, 9.3C	2, 11, 14
Liquid containing 900 – 1000 g/litre <b>mineral oil</b>	6.1E, 6.3B, 6.7B, 9.1D	14
Liquid containing 90 – 110 g/litre <b>permethrin</b> (Substance A)	6.1D, 6.3B, 6.4A, 6.5A, 6.5B, 6.9B, 9.1A, 9.3C, 9.4A	2, 11, 14
Liquid containing 90 – 110 g/litre <b>permethrin</b> (Substance B)	6.1D, 6.3B, 6.4A, 6.5A, 6.5B, 6.8B, 6.9B, 9.1A, 9.3C, 9.4A	2, 11, 14
Liquid containing 100 – 150 g/litre <b>picloram</b> as the triisopropanolamine salt and 180 – 220 g/litre triclopyr as the triethylamine salt	6.5B, 6.9B, 8.3A, 9.1B, 9.2A	2, 11, 14
Liquid containing 100 – 150 g/litre <b>picloram</b> as the iso-octyl ester and 200 – 250 g/litre triclopyr as the butoxyethyl ester	6.1D, 6.3B, 6.4A, 6.5B, 6.9B, 9.1A, 9.2A, 9.3C	2, 11, 14
Liquid containing 70 – 90 g/litre <b>pyrethrins</b>	6.3B, 6.4A, 6.5A, 6.5B, 6.9B, 9.1A, 9.4A	2, 11, 14
Liquid containing 180 – 220 g/litre <b>pyrethrins</b>	6.1E, 6.3B, 6.4A, 6.5A, 6.5B, 6.8B, 6.9B, 9.1A, 9.4A	2, 11, 14
Liquid containing 100 – 140 g/litre <b>spinosad</b>	6.1E, 6.3B, 6.9B, 8.3A, 9.1A, 9.3C, 9.4A	2, 11, 14
Liquid containing 450 – 550 g/litre <b>spinosad</b>	6.5B, 6.9B, 9.1A, 9.4A	2, 11, 14
Solid containing 100 – 240 g/kg <b>tebuthiuron</b>	6.1D, 9.1A, 9.2B	2, 11, 14
Liquid containing 110 – 140 g/litre <b>triclopyr</b> as the butoxyethyl ester	3.1D, 6.1E, 6.3B, 6.4A, 6.5B, 6.9B, 9.1A, 9.2A	2, 11, 14
Liquid containing 65 – 85 g/litre <b>trifloxystrobin</b>	6.1E, 6.3B, 6.5B, 6.9B, 9.1A	2, 11, 14
Liquid containing 150 – 240 g/litre <b>warfarin</b>	6.1B, 6.3B, 6.4A, 6.8A, 6.9A, 9.2D, 9.3A	14

Table 3

## Substances used in the formulation of pesticides

Substance	Hazard classification(s)	Variation code(s)
Liquid containing 5 – 15 g/litre <b>allethrin</b> , 3 – 12 g/litre d-phenothrin and 15 – 25 g/litre tetramethrin	3.1C, 6.1E, 6.3B, 6.9B, 9.1A, 9.4A	2, 11, 14
Liquid containing 20 – 25 g/litre <b>brodifacoum</b>	6.1B, 6.9B, 9.1B, 9.3A	14
Liquid containing 24 – 25 g/litre <b>bromadiolone</b>	6.1B, 6.9B, 9.1B, 9.3A	14
Liquid containing 500 – 600 g/litre <b>chlorpyrifos methyl</b>	6.1E, 6.9A, 9.1A, 9.4A	2, 11, 14
Solid containing 700 – 950 g/kg <b>clopyralid</b>	6.1E, 6.3A, 8.3A, 9.1C, 9.2A, 9.3C	2, 11, 14
Liquid containing 20 – 25 g/litre <b>diphacinone</b>	6.1B, 6.9B, 9.1C, 9.3B	14
Liquid containing 600 – 700 g/litre <b>diquat dibromide</b>	6.1B, 6.3A, 6.4A, 6.5B, 6.9A, 9.1A, 9.3A, 9.4C	14
Liquid containing 550 – 650 g/litre <b>glyphosate</b> as the isopropylamine salt	9.1B	14
Liquid containing 100 – 120 g/litre <b>methylchloroisothiazolinone</b> and 100 – 120 g/litre diuron	6.1C, 6.5B, 6.8B, 6.9A, 8.2B, 8.3A, 9.1A, 9.2A, 9.3B	14
Liquid containing 10 – 50 g/litre <b>octhilinone</b>	6.3A, 6.5B, 8.3A, 9.1A	2, 11, 14
Liquid containing 1 – 13 g/litre <b>permethrin</b> , 10 – 50 g/litre piperonyl butoxide and 10 – 13 g/litre tetramethrin	6.3B, 6.5A, 6.5B, 6.8B, 6.9B, 9.1A, 9.4A	2, 11, 14
Liquid containing 10 – 13 g/litre <b>permethrin</b> , 60 – 150 g/litre piperonyl butoxide and 10 – 13 g/litre tetramethrin	6.1E, 6.3B, 6.4A, 6.5A, 6.5B, 6.8B, 6.9B, 9.1A, 9.4A	2, 11, 14
Liquid containing 10 – 15 g/litre <b>d-phenothrin</b> , 10 – 50 g/litre piperonyl butoxide and 10 – 15 g/litre tetramethrin	6.3B, 6.8B, 6.9B, 9.1A, 9.4A	2, 11, 14
Liquid containing 10 – 15 g/litre <b>d-phenothrin</b> , 60 – 150 g/litre piperonyl butoxide and 10 – 15 g/litre tetramethrin	6.1E, 6.3B, 6.4A, 6.8B, 6.9B, 9.1A, 9.4A	2, 11, 14
Liquid containing 10 – 13 g/litre <b>d-phenothrin</b> and 10 – 13 g/litre tetramethrin	6.1E, 6.3B, 6.9B, 9.1A, 9.4A	2, 11, 14
Liquid containing 200 – 245 g/litre <b>picloram</b> as the potassium salt	6.3B, 6.4A, 6.5B, 6.9B, 9.1C, 9.2B	2, 11, 14
Liquid containing 450 – 550 g/litre <b>propiconazole</b>	3.1D, 6.1D, 6.3B, 6.5B, 6.9B, 8.3A, 9.1A, 9.3C	2, 11, 14
Liquid containing 10 – 15 g/litre <b>pyrethrins</b> and 15 – 25 g/litre piperonyl butoxide	6.3B, 6.5A, 6.5B, 6.8B, 6.9B, 9.1A, 9.4B	2, 11, 14



<b>Substance</b>	<b>Hazard classification(s)</b>	<b>Variation code(s)</b>
Liquid containing 100 – 150 g/litre <b>tea tree oil</b>	3.1B, 6.3A, 6.4A, 9.1D	14
Liquid containing 325 – 400 g/litre <b>triclopyr</b> as the triethylamine salts	6.1E, 6.3A, 6.5B, 6.9B, 8.3A, 9.1B, 9.2A, 9.3C	2, 11, 14

## Schedule 2

### Amendments to Schedule 1 to the principal notice

In the appropriate numerical order in the explanatory notes, insert the following:

- *Variation code 6A relates to a new control in clause 3 of Schedule 2A (approved handler requirement for application onto or into water).*
- *Variation code 12A relates to a change to regulation 20 (secondary identifiers for ecotoxic substances) of the Hazardous Substances (Identification) Regulations 2001.*
- *Variation code 14 relates to changes to the transitional periods under Schedule 5 to this notice.*

In Table 1 of Schedule 1 to the principal notice, omit the substance description in the first column of Table 1 below and substitute the substance description set out opposite to it.

**Table 1**

#### Changes to substance descriptions

Current substance description	New substance description
Soluble concentrate containing 625 g/litre <b>2,4-D</b> as the dimethylamine and diethanolamine salts	Soluble concentrate containing 625 – 685 g/litre <b>2,4-D</b> as the dimethylamine and diethanolamine salts
Suspension concentrate containing 525 g/litre <b>acetochlor</b> and 190 g/litre atrazine	Suspension concentrate containing 500 – 540 g/litre <b>acetochlor</b> and 170 – 300 g/litre atrazine
Wettable powder containing 146 g/kg <b>Bacillus subtilis</b> (QST 713 strain)	Wettable powder containing 100 – 150 g/kg <b>Bacillus subtilis</b> (QST 713 strain)
Vapour releasing mat containing 120 g/kg <b>bioallethrin</b>	Vapour releasing mat containing 120 – 220 g/kg <b>bioallethrin</b>
Bait containing 32.5 – 53 g/kg <b>boric acid</b> and 14 – 43 g/kg sodium borate	Bait containing 32.5 – 53 g/kg <b>boric acid</b> and 14 – 85 g/kg sodium borate
Suspension concentrate containing 0.07 g/litre <b>cydia pomonella granulosis virus</b> , mexican strain	Suspension concentrate containing 0.07 – 0.7 g/litre <b>cydia pomonella granulosis virus</b> , mexican strain
Suspension concentrate containing 500 – 750 g/litre <b>chlorothalonil</b>	Suspension concentrate containing 500 – 750 g/litre <b>chlorothalonil</b> (Substance A)
Suspension concentrate containing 62.5 g/litre <b>chlorothalonil</b> , 9.6 g/litre tau-fluvalinate and 6.25 g/litre thiophanate methyl	Suspension concentrate containing 62.5 g/litre <b>chlorothalonil</b> , 9.6 g/litre tau-fluvalinate and 6.25 g/litre thiophanate methyl
Soluble concentrate containing 155 g/litre <b>clorethephon</b> and 305 g/litre mepiquat-chloride	Soluble concentrate containing 155 g/litre <b>clorethephon</b> and 305 g/litre mepiquat-chloride

Current substance description	New substance description
Wettable powder containing 75 g/kg <b>dimethomorph</b> and 667 g/kg mancozeb	Granular or powder material containing 75 – 90 g/kg <b>dimethomorph</b> and 600 – 667 g/kg mancozeb
Soluble concentrate containing 500 g/litre <b>dicamba</b> as the dimethylamine salt	Soluble concentrate containing 480 – 500 g/litre <b>dicamba</b> as the dimethylamine salt
Suspension concentrate containing 400 g/litre <b>dodine</b>	Suspension concentrate containing 400 g/litre <b>dodine</b> (Substance A)
Soluble concentrate containing 250 g/litre <b>fatty acids</b> (potassium salts)	Soluble concentrate containing 190 – 250 g/litre <b>fatty acids</b> (potassium salts)
Ready to use bait containing 90 g/kg <b>ferric EDTA</b>	Ready to use bait containing 60 – 90 g/kg <b>ferric EDTA</b>
Wettable powder containing 800 g/kg <b>fosetyl-aluminium</b>	Wettable powder containing 775 – 800 g/kg <b>fosetyl-aluminium</b>
Soluble concentrate containing 720 g/litre <b>MCPA</b> as the dimethylamine salt	Soluble concentrate containing 720 – 780 g/litre <b>MCPA</b> as the dimethylamine salt
Soluble concentrate containing 360 – 450 g/litre <b>glyphosate</b> as the isopropylamine salt (Substance C)	Soluble concentrate containing 300 – 450 g/litre <b>glyphosate</b> as the isopropylamine salt
Bait containing 16.5 g/kg <b>hydramethylnon</b>	Bait containing 16.5 g/kg <b>hydramethylnon</b> (Substance A)
Emulsifiable concentrate containing 825 g/litre <b>mineral oil</b>	Emulsifiable concentrate containing 825 – 845 g/litre <b>mineral oil</b>
Wettable powder containing 400 g/kg <b>oxyfluorfen</b>	Solid powder containing 400 g/kg <b>oxyfluorfen</b>
Emulsifiable concentrate containing 100 g/litre <b>picloram</b> as the amine salt and 300 g/litre triclopyr as the butoxyethyl ester	Emulsifiable concentrate containing 100 – 170 g/litre <b>picloram</b> as the amine salt and 300 – 420 g/litre triclopyr as the butoxyethyl ester
Emulsifiable concentrate containing 12 g/litre <b>pyrethrins</b>	Emulsifiable concentrate containing 6 g/litre <b>pyrethrins</b>
Suspension concentrate containing 120 g/litre <b>spinosad</b>	Suspension concentrate containing 120 – 270 g/litre <b>spinosad</b>
Suspension concentrate containing 720 – 800 g/litre <b>sulphur</b>	Suspension concentrate containing 720 – 800 g/litre <b>sulphur</b> (Substance A)
Suspension concentrate containing 500 g/litre <b>terbuthylazine</b> (Substance A)	Suspension concentrate containing 500 – 600 g/litre <b>terbuthylazine</b>
Suspension concentrate containing 500 g/litre <b>terbuthylazine</b> (Substance B)	Suspension concentrate containing 500 g/litre <b>terbuthylazine</b>
Water dispersible granule containing 900 g/kg <b>terbuthylazine</b>	Water dispersible solid containing 900 g/kg <b>terbuthylazine</b>

Current substance description	New substance description
Water dispersible granule containing 500 g/kg <b>tolyfluamid</b>	Water dispersible granule containing 500 g/kg <b>tolyfluamid</b>
Emulsifiable concentrate containing 190 g/litre <b>triforine</b>	Emulsifiable concentrate containing 190 – 210 g/litre <b>triforine</b>

In Table 1 of Schedule 1 to the principal notice, for the hazardous substance described in the first column of Table 2 below, as appropriate—

- (a) omit the hazard classification(s) set out in the second column;
- (b) substitute the hazard classification(s) set out in the third column;
- (c) insert the hazard classification(s) set out in the fourth column;

**Table 2**

**Changes to hazard classifications**

Substance	Hazard classification(s) omitted	Hazard classification(s) substituted	Hazard classification(s) inserted
Soluble concentrate containing 195 g/litre <b>acephate</b> . Also contains ethylene glycol			6.8C
Emulsifiable concentrate containing 45 g/litre <b>acephate</b> and 39 g/litre triforine			6.8C
Suspension concentrate containing 50 g/litre <b>alpha-cypermethrin</b>	6.1D, 9.3C	6.1E	
Emulsifiable concentrate containing 100 g/litre <b>alpha-cypermethrin</b> . Also contains xylene	6.3B	6.3A	
Suspension concentrate containing 60 g/litre <b>amitrole</b> , 100 g/litre glyphosate and 375 g/litre terbuthylazine	6.9A, 6.1D	6.9B, 6.1E	
Granular material containing 150 g/kg <b>atrazine</b> and 67 g/kg hexazinone	6.4A		
Water dispersible granule containing 3,000 ITU/mg <i>Bacillus thuringiensis</i> sub-species israelensis	6.5B		
Soluble concentrate containing 72 g/litre <b>bentazone</b>	6.3B		

<b>Substance</b>	<b>Hazard classification(s) omitted</b>	<b>Hazard classification(s) substituted</b>	<b>Hazard classification(s) inserted</b>
Vapour releasing mat containing 120 g/kg <b>bioallethrin</b>			9.4C
Emulsifiable concentrate containing 400 g/litre <b>bromoxynil</b> as the octanoate ester (Substance A)	9.4B		
Emulsifiable concentrate containing 400 g/litre <b>bromoxynil</b> as the octanoate ester (Substance B)	9.4B		
Emulsifiable concentrate containing 250 g/litre <b>bromoxynil</b> as the octanoate ester and 25 g/litre diflufenican	9.4B		
Emulsifiable concentrate containing 200 g/litre <b>bromoxynil</b> and 200 g/litre ioxynil both as the octanoate esters	9.4B		
Emulsifiable concentrate containing 75 g/litre <b>bromoxynil</b> and 75 g/litre ioxynil both as the octanoate and heptanoate esters and 345 g/litre mecoprop as the isooctyl ester	9.4C		
Emulsifiable concentrate containing 120 g/litre <b>bromoxynil</b> and 120 g/litre ioxynil as the octanoate esters and 360 g/litre mecoprop-p as the butoxyethanol ester	9.4C		
Emulsifiable concentrate containing 200 g/litre <b>bromoxynil</b> as the octanoate ester and 200 g/litre MCPA as the ethyl ester	9.4B		
Suspension concentrate containing 440 g/litre <b>buprofezin</b>	9.1A, 9.4C	9.1D	
Water dispersible granule containing 500 g/kg <b>buprofezin</b>	9.1A, 9.4C	9.1D	
Granular material containing 100 g/kg <b>carbosulfan</b>			6.4A
Soluble concentrate containing 155 g/litre <b>chlorethephon</b> and 305 g/litre mepiquat-chloride	8.2C, 8.3A		8.1A
Suspension concentrate containing 125 g/litre <b>cyfluthrin</b>			6.5B
Emulsifiable concentrate containing 50 g/litre <b>cyfluthrin</b> . Also contains xylene	6.3B	6.3A	

<b>Substance</b>	<b>Hazard classification(s) omitted</b>	<b>Hazard classification(s) substituted</b>	<b>Hazard classification(s) inserted</b>
Emulsifiable concentrate containing 200 g/litre <b>cypermethrin</b> (Substance A)	6.3B	6.3A	
Liquid containing 2.3 g/litre <b>dicamba</b> and 15 g/litre MCPA as amine salts			9.2B
Soluble concentrate containing 18.7 g/litre <b>dicamba</b> , 150 g/litre MCPA and 600 g/litre mecoprop			6.3B
Aerosol containing 50 g/kg <b>dichlorvos</b>			9.3B
Emulsifiable concentrate containing 350 g/litre <b>endosulfan</b> (Substance D)	6.3B	6.3A	
Water dispersible granule containing 100 g/kg <b>fenamidone</b> and 500 g/kg mancozeb	4.2B		
Emulsifiable concentrate containing 200 g/litre <b>1-flamprop-isopropyl</b>	6.3B	6.3A	
Emulsifiable concentrate containing 80 g/litre <b>fluroxpyr</b> and 144 g/litre ioxynil as the octanoate ester	6.3B	6.3A	3.1C
Vapour releasing product containing 850 g/litre <b>formic acid</b>	6.5B		
Suspension concentrate containing 100 g/litre <b>fuberidazole</b> , 50 g/litre imazalil and 150 g/litre triadimenol			6.5B
Soluble concentrate containing 200 g/litre <b>glufosinate-ammonium</b>	6.1D, 6.3B, 9.1C, 9.3C	6.1E, 6.3A, 9.1D	
Powder containing 6 g/kg <b>imazalil</b> and 125 g/kg pencycuron	6.4A		
Suspension concentrate containing 20 g/litre <b>imazalil</b> and 250 g/litre pencycuron			6.5B
Suspension concentrate containing 600 g/litre <b>imidacloprid</b>			6.5B
Technical grade material 1000 g/kg <b>iron (II) sulphate heptahydrate</b>	9.1B	9.1D	
Suspension concentrate containing 500 g/litre <b>isoproturon</b>	6.3B		
Suspension concentrate containing 450 g/litre <b>linuron</b>	9.3C	9.3B	6.5B

Substance	Hazard classification(s) omitted	Hazard classification(s) substituted	Hazard classification(s) inserted
Water dispersible granule containing 500 g/kg <b>linuron</b>	9.3C	9.3B	
Soluble concentrate containing 25 g/litre <b>MCPA</b> and 375 g/litre <b>MCPB</b> as the dimethylamine salts			6.8B
Suspension concentrate containing 500 g/litre <b>methiocarb</b>	9.2D	9.2A	
Wettable powder containing 750 g/kg <b>methiocarb</b>	9.2D	9.2A	
Emulsifiable concentrate containing 960 g/litre <b>metolachlor</b>	6.3B	6.3A	6.4A
Granular or pelletised material containing 20 g/kg <b>oxadiazon</b> and 5 g/kg simazine	6.4A		
Soluble concentrate containing 240 g/litre <b>oxamyl</b>	3.1B	3.1C	
Powder containing 125 g/kg <b>pencycuron</b>	6.4A		
Emulsifiable concentrate containing 330 g/litre <b>pendimethalin</b> (Substance A)			9.3C
Emulsifiable concentrate containing 300 g/litre <b>pendimethalin</b> (Substance B)			9.3C
Emulsifiable concentrate containing 300 g/litre <b>pendimethalin</b> (Substance C)	6.9B	6.9A	
Aerosol containing 0.9 g/kg <b>permethrin</b> , 8.33 g/kg piperonyl butoxide and 4.05 g/kg tetramethrin	6.8B		6.8C
Flammable aerosol containing 0.96 g/kg <b>permethrin</b> , 23.5 g/kg piperonyl butoxide and 4.5 g/kg tetramethrin	6.8A		
Smoke generator containing 225 g/kg <b>pirimiphos-methyl</b>	5.1.1C		
Granular material containing 20 g/kg <b>picloram</b> as the amine salt	6.4A		
Water dispersible granule or wettable powder containing 750 g/kg <b>quintozene</b>	6.9A	6.9B	

Substance	Hazard classification(s) omitted	Hazard classification(s) substituted	Hazard classification(s) inserted
Emulsifiable concentrate containing 50 g/litre <b>quizalofop-p-ethyl</b>	6.3A, 8.3A	6.3B, 6.4A	
Granular product containing 200 g/kg <b>terbufos</b>			8.2C, 8.3A
Water dispersible granule containing 500 g/kg <b>tolyfluanid</b>	6.1B, 6.7B, 6.9A	6.9B	
Water dispersible granule containing 750 g/kg <b>tribenuron-methyl</b>			6.9B

In Table 1 of Schedule 1 to the principal notice, for the hazardous substance described in the first column of Table 3 below, as appropriate—

- (a) omit the variation code(s) set out in the second column;
- (b) insert the variation code(s) set out in the third column.

**Table 3**

**Changes to variation codes**

Substance	Variation code(s) omitted	Variation code(s) inserted
Suspension concentrate containing 440 g/litre <b>buprofezin</b>	3, 11	
Water dispersible granule containing 500 g/kg <b>buprofezin</b>	3, 11	
Suspension concentrate containing 125 g/litre <b>cyfluthrin</b>		7
Granular product containing 970 g/kg <b>dazomet</b>		1, 6
Suspension concentrate containing 100 g/litre <b>fuberidazole</b> , 50 g/litre imazalil and 150 g/litre triadimenol		7
Water soluble powder containing 750 g/kg <b>imazalil</b>		7
Suspension concentrate containing 20 g/litre <b>imazalil</b> and 250 g/litre pencycuron		7
Suspension concentrate containing 600 g/litre <b>imidacloprid</b>		7
Suspension concentrate containing 450 g/litre <b>linuron</b>		7
Water dispersible granule containing 500 g/kg <b>tolyfluanid</b>	10	4, 11



In Table 1 of Schedule 1, omit the hazardous substance “Water dispersible powder containing 40.6 g/kg **cymoxanil** and 640 g/kg mancozeb” and all corresponding hazard classifications and variation codes.

In Table 1 of Schedule 1 to the principal notice, for each of the hazardous substances described below, insert the variation code “6A”:

Suspension concentrate containing 1,200 ITU/mg *Bacillus thuringiensis* sub-species israelensis

Water dispersible granule containing 3,000 ITU/mg *Bacillus thuringiensis* sub-species israelensis

Liquid containing 100 g/litre **diquat** as the dibromide salt

Liquid containing 200 g/litre **diquat** as the dibromide salt

Soluble concentrate containing 50 g/litre **glyphosate** as the amine salt

Soluble concentrate containing 100 g/litre **glyphosate** as the isopropylamine salt

Soluble concentrate containing 300 g/litre **glyphosate** as the dimethylamine salt

Soluble concentrate containing 300 – 450 g/litre **glyphosate** as the isopropylamine salt

Soluble concentrate containing 360 – 450 g/litre **glyphosate** as the isopropylamine salt (Substance A)

Soluble concentrate containing 360 – 450 g/litre **glyphosate** as the isopropylamine salt (Substance B)

Soluble concentrate containing 360 – 450 g/litre **glyphosate** as the isopropylamine salt (Substance D)

Soluble concentrate containing 360 – 450 g/litre **glyphosate** as the isopropylamine salt (Substance E)

Water soluble granule containing 450 g/kg **glyphosate** as the mono-ammonium salt

Soluble concentrate containing 490 g/litre **glyphosate** as the isopropylamine salt

Soluble concentrate containing 510 g/litre **glyphosate** as the monoethanolamine salt

Water soluble granule containing 635 – 850 g/kg **glysohate** as the ammonium salt

Water soluble granule containing 680 g/kg **glyphosate** as the mono-ammonium salt

Pellet containing 42.5 g/kg **s-methoprene**

Granular material containing 15 g/kg **s-methoprene**

In Table 1 of Schedule 1 to the principal notice, for the hazardous substances described below, omit variation code 12 and substitute variation code 12A:

Suspension concentrate containing 1,200 ITU/mg *Bacillus thuringiensis* sub-species israelensis

Water dispersible granule containing 3,000 ITU/mg *Bacillus thuringiensis* sub-species israelensis

### Schedule 3

#### Amendments to Schedule 2 to the principal notice

##### Control – Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001

##### New regulations 56A, 56B, 89A and 89B

Repeal the changes to controls inserting regulations 56A and 89A, and substitute the following:

New regulation 56A The regulations apply to each hazardous substance described in Schedule 1 as if the following regulation were inserted immediately after regulation 56:

**56A Exception to approved handler requirement for transportation of packaged pesticides**

- (1) Regulation 56 is deemed to be complied with if—
  - (a) in the case of a hazardous substance being transported on land—
    - (i) in the case of a hazardous substance being transported by rail, the person who drives the rail vehicle that is transporting the substance is fully trained in accordance with an approved safety system under section 6D of the Transport Services Licensing Act 1989 or a safety system which is referred to in an approved safety case under the Railways Act 2005; and
    - (ii) in every other case, the person who drives, loads, and unloads the vehicle that is transporting the substance—
      - (A) for hire or reward, or in quantities which exceed those set out in Schedule 1 of the Land Transport Rule 45001/1: Dangerous Goods 2005, has a current dangerous goods endorsement on his or her drivers licence; or
      - (B) in every other case, the Land Transport Rule 45001/1: Dangerous Goods 2005 is complied with; or
  - (b) in the case of a hazardous substance being transported by sea, one of the following is complied with—
    - (i) Maritime Rules: Part 24A – Carriage of Cargoes – Dangerous Goods (MR024A); or
    - (ii) International Maritime Dangerous Goods Code; or
  - (c) in the case of a hazardous substance being transported by air, Part 92 of the Civil Aviation Rules is complied with.

- (2) Subclause (1)(a)—
- (a) does not apply to a tank wagon or transportable container to which the Hazardous Substances (Tank Wagons and Transportable Containers) Regulations 2004 applies; but
  - (b) despite paragraph (a), does apply to an intermediate bulk container that complies with chapter 6.5 of the UN Model Regulations.
- (3) Subclause (1)(c)—
- (a) applies to—
    - (i) pilots, aircrew, and airline ground personnel loading and handling a hazardous substance within an aerodrome; or
    - (ii) pilots for the purpose of aerial application; but
  - (b) does not apply to—
    - (i) the storage and handling of a hazardous substance in any place that is not within an aerodrome, or within an aerodrome by non-airline ground personnel; or
    - (ii) the loading and handling of any hazardous substance for the purpose of aerial application otherwise than in accordance with paragraph (a)(ii).

New regulation 56B The regulations apply to each hazardous substance described in Schedule 1 as if the following regulation were inserted immediately after regulation 56A:

**56B Exception to approved handler requirement for aerial application of certain substances**

Regulation 56 is deemed to be complied with if, in the case of the aerial application of a hazardous substance, the person who carries out the application has a current pilot chemical rating in accordance with Part 61 of the Civil Aviation Rules.

New regulation 89A The regulations apply to each hazardous substance described in Schedule 1 as if the following regulation were inserted immediately after regulation 89:

**89A Exception to approved handler requirement for transportation of packaged pesticides**

- (1) Regulation 89 is deemed to be complied with if—
- (a) in the case of a hazardous substance being transported on land—
    - (i) in the case of a hazardous substance being transported by rail, the person who drives the rail vehicle that is transporting the substance is fully trained in accordance with an approved safety system under section 6D of the Transport Services Licensing

- Act 1989 or a safety system which is referred to in an approved safety case under the Railways Act 2005; and
- (ii) in every other case, the person who drives, loads, and unloads the vehicle that is transporting the substance—
    - (A) for hire or reward, or in quantities which exceed those set out in Schedule 1 of the Land Transport Rule 45001/1: Dangerous Goods 2005, has a current dangerous goods endorsement on his or her drivers licence; or
    - (B) in every other case, the Land Transport Rule 45001/1: Dangerous Goods 2005 is complied with; or
  - (b) in the case of a hazardous substance being transported by sea, one of the following is complied with—
    - (i) Maritime Rules: Part 24A – Carriage of Cargoes – Dangerous Goods (MR024A); or
    - (ii) International Maritime Dangerous Goods Code; or
  - (c) in the case of a hazardous substance being transported by air, Part 92 of the Civil Aviation Rules is complied with.
- (2) Subclause (1)(a)—
- (a) does not apply to a tank wagon or transportable container to which the Hazardous Substances (Tank Wagons and Transportable Containers) Regulations 2004 applies; but
  - (b) despite paragraph (a), does apply to an intermediate bulk container that complies with chapter 6.5 of the UN Model Regulations.
- (3) Subclause (1)(c)—
- (a) applies to—
    - (i) pilots, aircrew, and airline ground personnel loading and handling a hazardous substance within an aerodrome; or
    - (ii) pilots for the purpose of aerial application; but
  - (b) does not apply to—
    - (i) the storage and handling of a hazardous substance in any place that is not within an aerodrome, or within an aerodrome by non-airline ground personnel; or
    - (ii) the loading and handling of any hazardous substance for the purpose of aerial application otherwise than in accordance with paragraph (a)(ii).

New regulation 89B The regulations apply to each hazardous substance described in Schedule 1 as if the following regulation were inserted immediately after regulation 89A:

**89B Exception to approved handler requirement for aerial application of certain substances**

Regulation 89 is deemed to be complied with if, in the case of the aerial application of a hazardous substance, the person who carries out the application has a current pilot chemical rating in accordance with Part 61 of the Civil Aviation Rules.

**Control – Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001**

**Regulation 9**

Omit the third change to controls for regulation 9 and substitute the following:

Regulation 9 This regulation applies to each hazardous substance described in Schedule 1 with variation code 3 as if subclause (1) were omitted and the following substituted:

- (1) A hazardous substance to which this regulation applies must be under the personal control of an approved handler when the substance is used by a commercial contractor.

Omit the fourth change to controls for regulation 9 and substitute the following:

Regulation 9 This regulation applies to each hazardous substance described in Schedule 1 with variation code 4 as if subclause (1) were omitted and the following substituted:

- (1) A hazardous substance to which this regulation applies must be under the personal control of an approved handler when the substance is—
  - (a) applied in a wide dispersive manner; or
  - (b) used by a commercial contractor.

**New Regulations 9A and 9B**

Repeal the change to controls inserting regulation 9A and insert the following:

New regulation 9A The regulations apply to each hazardous substance described in Schedule 1 as if the following regulation were inserted immediately after regulation 9:

**9A Exception to approved handler requirement for transportation of packaged pesticides**

- (1) Regulation 9 is deemed to be complied with if—
  - (a) in the case of a hazardous substance being transported on land—
    - (i) in the case of a hazardous substance being transported by rail, the person who drives the rail vehicle that is transporting the

substance is fully trained in accordance with an approved safety system under section 6D of the Transport Services Licensing Act 1989 or a safety system which is referred to in an approved safety case under the Railways Act 2005; and

- (ii) in every other case, the person who drives, loads, and unloads the vehicle that is transporting the substance—
    - (A) for hire or reward, or in quantities which exceed those set out in Schedule 1 of the Land Transport Rule 45001/1: Dangerous Goods 2005, has a current dangerous goods endorsement on his or her drivers licence; or
    - (B) in every other case, the Land Transport Rule 45001/1: Dangerous Goods 2005 is complied with; or
  - (b) in the case of a hazardous substance being transported by sea, one of the following is complied with:
    - (i) Maritime Rules: Part 24A – Carriage of Cargoes – Dangerous Goods (MR024A); or
    - (ii) International Maritime Dangerous Goods Code; or
  - (c) in the case of a hazardous substance being transported by air, Part 92 of the Civil Aviation Rules is complied with.
- (2) Subclause (1)(a)—
- (a) does not apply to a tank wagon or transportable container to which the Hazardous Substances (Tank Wagons and Transportable Containers) Regulations 2004 applies; but
  - (b) despite paragraph (a), does apply to an intermediate bulk container that complies with chapter 6.5 of the UN Model Regulations.
- (3) Subclause (1)(c)—
- (a) applies to—
    - (i) pilots, aircrew, and airline ground personnel loading and handling a hazardous substance within an aerodrome; or
    - (ii) pilots for the purpose of aerial application; but
  - (b) does not apply to—
    - (i) the storage and handling of a hazardous substance in any place that is not within an aerodrome, or within an aerodrome by non-airline ground personnel; or

- (ii) the loading and handling of any hazardous substance for the purpose of aerial application otherwise than in accordance with paragraph (a)(ii).

New regulation 9B The regulations apply to each hazardous substance described in Schedule 1 as if the following regulation were inserted immediately after regulation 9A:

**9B Exception to approved handler requirement for aerial application of certain substances**

Regulation 9 is deemed to be complied with if, in the case of the aerial application of a hazardous substance, the person who carries out the application has a current pilot chemical rating in accordance with Part 61 of the Civil Aviation Rules.

**Regulations 11 and 32**

Immediately after the change to controls for regulation 10, insert the following:

Regulations 11 and 32 The regulations apply to export-only substances as if regulations 11 and 32 were omitted.

**Control – Hazardous Substances (Tracking) Regulations 2001**

**Regulations 4 to 6**

In the third changes to controls for regulations 4 to 6, after the hazardous substance “suspension concentrate containing 125 g/litre cyfluthrin”, insert “granular product containing 970 g/kg dazomet”

**Control – Hazardous Substances (Emergency Management) Regulations 2001**

**Regulation 37 and 38**

Immediately after the change to controls for regulation 36, insert the following:

Regulation 37 This regulation applies to each hazardous substance described in Schedule 1, as if the following subclauses were inserted at the end:

- (2) If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers each of which has a capacity of 60 litres or less—
  - (a) if the place’s total pooling capacity is less than 20,000 litres, the secondary containment system must have a capacity of at least 25% of that total pooling potential:

- (b) if the place's total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—
  - (i) 5% of the total pooling potential; or
  - (ii) 5,000 litres.
- (3) Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that leakage of one substance may not adversely affect the container of another substance.

Regulation 38 This regulation applies to each hazardous substance described in Schedule 1, as if the following subclauses were inserted at the end:

- (2) If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers 1 or more of which have a capacity of more than 60 litres but none of which have a capacity of more than 450 litres—
  - (a) if the place's total pooling potential is less than 20,000 litres, the secondary containment system must have a capacity of either 25% of that total pooling potential or 110% of the capacity of the largest container, whichever is the greater:
  - (b) if the place's total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—
    - (i) 5% of the total pooling potential; or
    - (ii) 5,000 litres.
- (3) Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that the leakage of one substance may not adversely affect the container of another substance.

## **Control – Hazardous Substances (Identification) Regulations 2001**

### **Regulation 20**

Immediately after the change to controls for regulations 20, insert the following:

Regulation 20 This regulation applies to each hazardous substance described in Schedule 1 with variation code 12A as if the following were inserted after paragraph (e):

- (f) a warning with the following text:

“Do not apply this substance in a way that adversely affects native mosquitoes of a species found only in the region of application.”



**New regulations 30A and 30B**

Immediately after the change to controls for regulation 25, insert the following:

New regulations 30A and 30B      These regulations apply to export-only substances as if the following regulations were inserted immediately after regulation 30:

**30A Single container packaging for export-only substances**

- (1) Packaging of export-only substances in single containers, whether contained within a multiple package or not, may comply with the labelling requirements of—
  - (a) the Food and Agricultural Organisation of the United Nations (FAO), Guidelines on Good Labelling Practice for Pesticides, 1995, or
  - (b) the labelling requirements of a regulatory authority recognised by ERMA New Zealand in the country of destination.;
- (2) If packaging complies with (1), it need not comply with—
  - (a) regulations 11 and 12 of the Hazardous Substances (Disposal) Regulations 2001; and
  - (b) regulations 6 to 8 of the Hazardous Substances (Emergency Management) Regulations 2001; and
  - (c) regulations 6 to 9, 11, 13, 14, 18, 19, 20, 22, 24 25, 36(8) of the Hazardous Substances (Identification) Regulations 2001.

**30B Multiple packaging for export-only substances**

- (1) This subclause applies only to export-only substances in multiple packages.
- (2) The outer packaging of a multiple package to which subclause (1) applies must bear:
  - (a) the information required by whichever of regulations 8 to 14 applies to the substance; or
  - (b) the labelling or marking required by—
    - (i) the Land Transport Rule 45001/1: Dangerous Goods 2005; or
    - (ii) Civil Aviation Rules: Part 92 – Carriage of Dangerous Goods; or
    - (iii) Maritime Rules: Part 24A – Carriage of Cargoes – Dangerous Goods (MR024A); or
  - (c) the pictogram for “Dangerous to the Environment” as described in directive 92/32/EEC (instead of the identifier requirements of regulations 9 and 20); or

- (d) the relevant class or subclass label assigned by the UN Model Regulations.
- (3) An export-only substance to which subclause (1) applies must be identified by enough information to enable its New Zealand supplier or manufacturer to be contacted, either in person or by telephone.
- (4) An export-only substance to which subclause (1) applies shall not have on its packaging, or with it, any information suggesting that it belongs to a class or subclass it does not in fact belong to.
- (5) An export-only substance which complies with subclauses (2) to (4) of this regulation need not comply with regulations 18 to 25 and 30.
- (6) Any requirement to label the outer packaging of a multiple package of an export-only substance as containing a substance that is hazardous to the environment/ecotoxic, specified in subclauses (2) to (4), is omitted when the substance is stored in New Zealand in a secure warehouse or other secure storage facility owned, operated or otherwise under the control of the manufacturer or the shipping agent prior to exportation from New Zealand.

## Schedule 4

### New Schedule 2A to the principal notice

After Schedule 2 to the principal notice, insert new Schedule 2A as follows:

#### Schedule 2A

#### New controls for pesticides

##### Contents

- |   |  |
|---|--|
| 1 | Export-only substances                                     |
| 2 | Substances used in the formulation of pesticides           |
| 3 | Application onto or into water                             |
| 4 | Permissions required for application or use of a substance |
| 5 | New control for paraquat                                   |
| 6 | New control for permethrin                                 |

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##### *Export-only substances*

#### 1 Export-only substances

The hazardous substances described in Table 2 of Schedule 1 may only be manufactured for exportation and may not be offered for sale or otherwise used in New Zealand.

##### *Substances used in the formulation of pesticides*

#### 2 Substances used in the formulation of pesticides

No person may use a hazardous substance described in Table 3 of Schedule 1 for any purpose other than as an ingredient or component in the manufacture of another substance or product.

##### *Application onto or into water*

#### 3 Application onto or into water

- (1) No hazardous substance described in Schedule 1 may be applied onto or into water.
- (2) Despite subclause (1), a hazardous substance described in Schedule 1 with variation code 6A may be applied onto or into water.
- (3) For the purposes of subclause (2), where the water has the potential to leave the place containing the application area, any application of the hazardous substance must be under the personal control of an approved handler.
- (4) In this clause, **water** means water in all its physical forms, whether flowing or not, and whether over or under ground, but does not include water in any form while in a pipe, tank or cistern.

*Permissions required for application or use of a substance*

**4 Permissions required for application or use of a substance**

- (1) No person may apply or otherwise use the following hazardous substances unless the person first obtains a permission under section 95A of the Act from the Authority:

granular material containing 15 g/kg s-methoprene

pellet containing 42.5 g/kg s-methoprene.

- (2) The control specified in subclause (1) must be indicated by a secondary identifier and in the documentation required in places of work.

*New control for paraquat*

**5 New control for paraquat**

No person shall pack for sale or supply any of the following hazardous substances unless they contain a stenching agent and an effective emetic:

soluble concentrate containing 115 g/litre diquat as the dibromide salt and 135 g/litre paraquat as the dichloride salt

soluble concentrate containing 200 – 250 g/litre paraquat as the dichloride salt.

*New control for permethrin*

**6 New control for permethrin**

- (1) No person may use the following hazardous substances for any purpose except for application on to wool products:

liquid containing 75 – 125 g/litre permethrin.

- (2) The control specified in subclause (1) must be indicated by a secondary identifier and in the documentation required in places of work

## Schedule 5

### Amendments to Schedule 3 to the principal notice

#### New clauses 10 and 11

Immediately after clause 9, insert the following:

#### **10 Packaging, identification, and signage for substances with variation code 14**

- (1) A hazardous substance described in Schedule 1 with variation code 14 is not required to comply with the regulations specified in subclause (2) if it complies with the requirements for packaging, identification, and signage that applied to that hazardous substance at the close of 30 June 2006.
- (2) The regulations are—
  - (a) the Hazardous Substances (Packaging) Regulations 2001; and
  - (b) the Hazardous Substances (Identification) Regulations 2001; and
  - (c) regulations 11 to 14 of the Hazardous Substances (Disposal) Regulations 2001.
- (3) This clause expires with the close of 30 June 2008.

#### **11 Fire extinguishers, emergency management response plans and secondary containment for substances with variation code 14**

- (1) A hazardous substance described in Schedule 1 with variation code 14 is not required to comply with regulations 6 to 34 and 42 of the Hazardous Substances (Emergency Management) Regulations 2001 if it complies with the requirements for fire extinguishers, emergency management response plans and secondary containment that applied to that hazardous substance at the close of 30 June 2006.
- (2) This clause expires with the close of 30 June 2007.