## FORM section 63A

## (Modified Reassessment)

# Application for a Modified Reassessment
## under section 63A of the Hazardous Substances and New Organisms Act 1996

**Name of Substance(s): Sumi-Alpha**

**Applicant: Nufarm Limited**

**Signed: _____ Date: _____**

| **Application Checklist** | **Tick or n/a** |
|---|---|
| Mandatory sections filled out: | |
| All Attachments enclosed: | |
| Application signed and dated: | |

| **Office use only** | |
|---|---|
| Date received: | ____/____/____ |
| Application Code: | |
| ERMA NZ Contact: | |
| Application Version No: | v1.0 |

# SECTION ONE – APPLICANT DETAILS

## 1.1 Name and postal address in New Zealand of the organisation making the application

**Name:** Nufarm Ltd
**Address:** PO Box 22 407, Auckland 1640
**Phone:** 09 270 4150
**Fax:** 09 270 4159

## 1.2 The applicant's location address in New Zealand (if different from above)

**Address:** 6 Manu St, Otahuhu, Auckland

## 1.3 Name of the contact person for the application

**Name:** Emma Wilson
**Position:** Regulatory and Commercialisation Manager
**Phone:** 09 270 4183
**Email:** emma.wilson@nz.nufarm.com

# SECTION TWO – APPLICATION TYPE

## 2.1 The approvals being reassessed

Sumi-Alpha – Emulsifiable concentrate containing 50g/litre esfenvalerate
Approval No. HSR000320

## 2.2 Specific aspect of the approval being reassessed

Hazard Classification: New data available indicates that the flammability classification 3.1D should be added for this substance.

## 2.3 Grounds for the reassessment

The Committee of the Authority have considered that under section 62(2) there are grounds for the reassessment of Sumi-Alpha (RES09003) as new information on the formulation has become available. Sumi-Alpha was transferred to the full framework of the HSNO Act by way of the Hazardous Substances (Pesticides) Transfer Notice 2004 and assigned the hazard classifications as identified in section 3.2.

## 2.4 Consultation

The applicant is aware that this application will be available for public consultation.

# SECTION THREE – INFORMATION ON THE SUBSTANCES

## 3.1 The unequivocal identification of the substance

Active Ingredient: 50g/L esfenvalerate
CAS: 66230-04-4
Use: Synthetic pyrethroid insecticide

Refer to Appendix 1 for full formulation of the substance

## 3.2 Information on the chemical, physical and hazardous properties of the substance

| | |
|---|---|
| Appearance: | Clear to slightly hazy yellow liquid |
| Flashpoint: | 69°C |
| Oxidising properties: | No data available |
| Corrosive properties: | No data available |
| Acidity/alkalinity (pH): | Not determined |
| Density (specific gravity): | 0.884 – 0.93 |

Current hazard classifications: 6.1D, 6.3B, 6.5B, 6.9B, 9.1A, 9.3C, 9.4A

Proposed additional hazard classification: 3.1D

Refer to Appendix 2 for the flashpoint report for this substance

## 3.3 Identification of the controls on the substances

**Current Controls:**

| | |
|---|---|
| Toxicity | T1, T2, T4, T5, T7, T8, |
| Ecotoxicity | E1, E2, E3, E4, E5, E6, E7 |
| Identification | I1, I3, I8, I9, I11, I16, I17, I18, I19, I20, I21, I23, I28, I29, I30, |
| Packaging | P1, P3, P13*, P15, PG3 PS4, |
| Disposal | D4, D5, D6, D7, D8, |
| Emergency Management | EM1, EM6, EM7, EM8, EM11, EM12, EM13 |
| Tracking | TR1 |
| Approved Handler | AH1 |

The TR1 control has been omitted for this substance.

**Extra controls triggered by the additional 3.1D classification:**

| Code | Regulation | Description |
|---|---|---|
| F2 | Reg 8 | General public transportation restrictions and requirements for all class 1 to 5 substances |
| F6 | Regs 60-70 | Requirements to prevent unintended ignition of class 2.1.1, 2.1.2 and 3.1 substances |
| F11 | Reg 76 | Segregation of incompatible substances |
| I5 | Reg 11 | Priority identifiers for flammable substances |
| I13 | Reg 22 | Secondary identifiers for flammable substances |
| I25 | Reg 43 | Specific documentation requirements for flammable substances |
| D2 | Reg 6 | Disposal requirements for class 2,3,4 substances (flammables) |
| EM9 | Reg 17 | Additional information requirements for flammable and oxidising substances and organic peroxides |
| EM10 | Regs 21-24 | Fire extinguisher requirements |
| GN35A | Gazette Notice Issue 35, Schedule 10 | Controls relating to the adverse effects of unintended ignition of class 2 and class 3.1 hazardous substances |

## 3.4 The proposal to modify the approval of the substances

The purpose of this application is to correct the current Hazard Classification of the product Sumi-Alpha. Since this product was transferred to the HSNO framework, further data has become available to indicate that the Hazard Classification should include a 3.1D flammability classification.

The Committee of the Authority have considered that under section 62(2) there are grounds for the reassessment of Sumi-Alpha (RES09003).

## 3.5 Commercial sensitivity

The formulation of the product has been provided in the confidential appendices.

# SECTION FOUR: RISKS, COSTS AND BENEFITS

## 4.1 Identification of all the effects associated with the reassessment proposal (section 63A(6)(a))

The proposal to add the 3.1D classification to Sumi-Alpha will result in the addition of a number of new controls. These controls have been listed in section 3.3 above.

**Effects of the Additional Controls:**

| Party effected | Effect of additional flammability controls |
|---|---|
| **Manufacturer** | **Labelling:** Extra priority and secondary identifiers required.<br>**MSDS:** Extra information on the new hazardous property and precautionary information.<br>**Storage:** Should not be stored near heat or flame. Segregation from Class 1, 2, 3.2, 4 or 5 substances required. Two fire extinguishers required when more than 500 litres are stored |
| **Transporter** | **Storage:** Should not be stored near heat or flame. Segregation from Class 1, 2, 3.2, 4 or 5 substances required. Two fire extinguishers required when more than 500 litres are stored |
| **Retailer** | **Storage:** Should not be stored near heat or flame. Segregation from Class 1, 2, 3.2, 4 or 5 substances required. Two fire extinguishers required when more than 500 litres are stored |
| **User** | **Storage:** Should not be stored near heat or flame<br>**Disposal:** It is recommended that the product be disposed of only by using according to the label. |

## Product Lifecycle:

**Manufacture**:
The product will be manufactured overseas and imported to New Zealand for down-packing at Nufarm Limited, Otahuhu, Auckland, New Zealand.

**Packaging:**
The product will be packed and labelled in UN approved tin or HDPE containers with tamper evident seals ranging in size from 1L to 200L. Small pack sizes will be further packaged in multiple units in cardboard shipper cartons.
Pallet loads of product will be shrink-wrapped onto pallets for ease of movement and storage.

**Transport & Storage**:
This product triggers the Land Transport Rule Dangerous Goods 2005 (45001/1) requirement for transportation as a Class 6, Toxic Substance. It is also an IMO Marine Pollutant.
The storage area in the warehouse has prominent signage to denote the substances being held.
Product is despatched to retail outlets to be stored on shelves for sale to the commercial end-user.

**Intended Substance Use: (consider potential by products/metabolites, waste products during use):**
There are no potential by-products, metabolites or waste products anticipated by the use of this substance.

**Other (reasonable) potential uses, recycling options**:
HDPE containers of 60L or less and will be recyclable under the Agrecovery container recycling scheme.

**Who may use the substance (eg industrial or domestic users):**
The product is diluted with water and sprayed on maize and vegetable crops to control cutworm and other pests. The product is intended for commercial use only. Domestic usage is not anticipated.

**How it is intended to be used (eg 2-pot paint requiring mixing by the user):**
Sumi-Alpha is an insecticide for use on a range of vegetable crops and maize. The use rate will vary depending on the crop. See draft label in the appendix 3 for specific use rates. Application will be by boom sprayer.

**Any known adverse effects from unintentional use**:
None known

**Disposal**:
The container is unlikely to be disposed of until empty. HDPE containers of 60L or less should be triple rinsed and recycled though the Agrecovery container recycling scheme. Metal containers should be triple rinsed, then crushed and buried.

The Product label and Safety Data Sheet (SDS) recommends:

- That the substance be disposed of only by using according to the label, or at an approved landfill.
- That the packaging is to be disposed of by ensuring the container is completely empty, triple rinsing and adding residue to the spray tank. In the case of plastic containers empty containers can be recycled, otherwise crushed and buried in a landfill.

## 4.2 Assessment of the risks associated with the reassessment proposal

There are not likely to be any significant risks associated with this reassessment proposal.

## 4.3 Assessment of the costs associated with the reassessment proposal

The main costs associated with the reassessment are:

- The time taken to compile the "Application for whether there are grounds for Reassessment of a hazardous substance"
- The time taken to compile this application
- Costs associated with updating the product label
- Costs associated with complying with the additional controls

These costs will all be covered by Nufarm Limited

## 4.4 Assessment of the benefits associated with the reassessment proposal

The benefit is that the product will be correctly classified and the relevant controls will be put in place.

The additional risk which has become evident from the discovery of the necessary 3.1D classification, is the risk of fire.

| **Hazardous Property** | **Impact** | **Exposure pathway** | **Adverse effect** |
|---|---|---|---|
| Flammability | Safety of workers, users and public | Processing/Storage/ transportation /handling/disposal | May cause fire due to combustion at high temperatures. |

## 4.5 Assessment of any particular risks, costs and benefits which arise from the relationship of Māori and their culture and traditions with their taonga, or which are, for other reasons, of particular relevance to Māori

The Reassessment of Sumi-Alpha will not adversely affect Maori culture, traditions or taonga.

The risks, costs and benefits related to Sumi-Alpha will be no different to Maori than to non-Maori. The controls assigned to this product should be sufficient to manage any risks to Maori lands, water or health.

# SECTION FIVE – INTERNATIONAL CONSIDERATIONS

## 5.1 The best international practices and standards for the safe management of the substance (section 63A(6)(b))

The flashpoint of Sumi-Alpha does not make it a Class 3 Dangerous Goods so it is not considered flammable in other countries.

## 5.2 International obligations and treaties

None

# SECTION SIX – MISCELLANEOUS

## 6.1 A glossary of scientific and technical terms used in the application

None

## 6.2 Other information considered relevant to this application not already included

None

# SECTION SEVEN – SUMMARY OF PUBLIC INFORMATION

## 7.1 Name of the substance for the public register

Sumi-Alpha: Emulsifiable concentrate containing 50g/litre esfenvalerate

Approval Code HSR000320

## 7.2 Purpose of the application for the public register

A modified reassessment of the approval for the emulsifiable concentrate containing 50g/litre esfenvalerate to add a flammability classification.

## 7.3 Executive summary

The purpose of this modified reassessment application is to correct the Hazard Classification of Sumi-Alpha.

Sumi-Alpha is an insecticide product for the control of a number of different insect pests on vegetable crops and maize. It is manufactured overseas and imported into New Zealand where it is downpacked, labelled and then sold.

When Sumi-Alpha was first transferred to the HSNO framework, it was classified using the data available. Since this time further data has been generated which indicates that the product triggers the 3.1D Combustible Liquid Hazard Classification. The purpose of this application is to correct the Hazard Classification of Sumi-Alpha and add the 3.1D classification.

By correctly classifying this product, the proper controls will be put in place to ensure that the risks will be properly managed.

The main costs associated with this reassessment will be in the updating of the product label and SDS to ensure the new controls are effectively communicated to the user.