

## ENVIRONMENTAL RISK MANAGEMENT AUTHORITY

**THE BULLETIN**

*The Bulletin is published approximately eleven times per year. It is an official record of applications being processed, the Authority's decisions, and other activities under the Hazardous Substances and New Organisms (HSNO) Act 1996. The Bulletin – and further information on the application process are available on the ERMA New Zealand website: [www.ermanz.govt.nz](http://www.ermanz.govt.nz). The Bulletin can also be ordered by electronic subscription through [bulletin@ermanz.govt.nz](mailto:bulletin@ermanz.govt.nz)*

**NEW ORGANISMS****NOTIFIED APPLICATIONS RECEIVED AND OPEN FOR SUBMISSIONS**

There are no new organism applications currently open for submissions

**APPLICATIONS RECEIVED AND DECISIONS ON APPLICATIONS**

There were no new organism application received or decided in this period

**AMENDMENTS TO APPROVALS**

Under Section 67A of the HSNO Act the Environmental Risk Management Authority may amend any approval given under Part V of the Act if it considers that the alteration is minor in effect or corrects a minor or technical error.

The following amendment to the controls was made by the Authority on 11 March 2002

**Application Code: GMF98001**

**Applicant: PPL Therapeutics (NZ) Limited**

**Purpose:** To field test (maintain a manufacturing flock of) transgenic sheep, for the purpose of producing a biopharmaceutical (human alpha-1-antitrypsin, hAAT), in the Waikato region

**Original Control:**

3. The maximum number of sheep in each containment facility shall not exceed 5,000, and there shall not be more than two such facilities.

**Amended Control:**

3. The total number of sheep in each facility, which may be any mix of transgenic sheep and non-transgenic sheep shall not normally exceed 5,000, and there shall not be more than two such facilities.

**New Control:**

- 3a. The total number of sheep in each facility may temporarily exceed 5,000 for the purposes of breeding and lambing, provided that the increase shall take the total number of sheep to no more than 5,500 and this increase shall not be for more than one continuous period of up to four months in any one year, and provided that MAF confirm beforehand that in their view the adequacy of containment will not be compromised.

**New Control:**

- 4a. Milking of genetically modified sheep shall be performed within the containment facility and the milk shall be transported, in secure containers to prevent spill. Milk leaving the site shall go to a registered laboratory (a containment facility registered by MAF in accordance with the MAF Biosecurity Authority/ERMA New Zealand Standard 154.03.02 Containment Facilities for Micro organisms and operated and managed in accordance with Australian/New Zealand Standard AS/NZS 2243.3:1995 Safety in Laboratories: Part 3: (Microbiology), at physical containment

*Please feel free to photocopy this material. Acknowledgement of ERMA New Zealand would be appreciated.*

**ERMA NEW ZEALAND**

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Level 1 (PC1) for evaluation. A log of the milk samples sent and their fate shall be maintained and recorded in a register. Any milk to be shipped overseas will be transported in secure containers to the port of exit and beyond New Zealand's territorial limits.

**New Control:**

- 5a. No part or product of the transgenic organism shall be ingested by any person at any time.

**Original Control:**

14. The applicant shall provide a report to ERMA New Zealand in each December on compliance with the controls, with particular reference to the topics listed in section 4.13 of the MAF/ERMA Standard 154.03.06.

**Amended Control:**

14. The applicant shall provide reports to ERMA New Zealand whenever there is a significant change in the status of the research, which shall include the opening of a new facility or the closure of either or both of the permitted facilities that details:

- Current status of the work being carried out and changes since the last report
- Comments on the interpretation and effectiveness of the controls and whether changes could be made that would achieve more cost-effective risk management and containment.

**New Control:**

- 14a. On completion of the research a final report shall be provided to ERMA New Zealand.

**DELEGATED AUTHORITY**

The following applications were decided by institutions acting under delegated powers from the Authority

**Applicant: Genesis Research and Development**

**Institution application code: GMO02/GR038**

**Purpose:** To express plant protein for bioassays and/or to study the effect that specific genes have on the phenotypic properties of transformed plants  
**Update of GMO00/GR031**

**ERMA Approval code(s): GMD002339-2364**

**Description of organism:** *Escherichia coli*, *Drosophila melanogaster* (Schneider 2 cells) and *Saccharomyces cerevisiae* *Arabidopsis thaliana*, *Actinidia deliciosa*, *Brassica spp*, *Cucubita maxima*, *Cucumis melo*, *Cucumis sativus*, *Daucus carota*, *Eucalyptus grandis*,

*Festuca spp.* *Hordeum vulgare* (whole plants, callus, cell suspensions and protoplasts) *Lolium spp.* *Lycopersicon esculentum*, *Malus domestica*, *Nicotiana benthamiana*, *Nicotiana tabacum*, *Oryza sativa*, *Petunia inflata*, *Pinus radiata*, *Sechium edule*, *Sicyos angulatus*, *Triticum spp.* *Zea mays* and *Zinnia elegans* (whole plants, callus, cell suspensions and protoplasts) modified with 2b ORF of Cucumber Mosaic Virus (CMV)

**Decision:** Approved with controls (PC1 and PC2)

**Applicant: Lincoln University**

**Institution application code: GMO02/LU005**

**Purpose:** To clone genes from soil fungi and bacteria into *Escherichia coli* (K12 derived) in order to use the replicative ability of *Escherichia coli* to produce sufficient quantities of the donor nucleic acid for DNA sequencing

**ERMA Approval code(s): GMD002365**

**Description of organism:** *Escherichia coli* modified with vectors (non-conjugative pGEM-T type including pGEM-T (3003 bp) and pGEM-T Easy (3015 bp)

**Decision:** Approved with controls (PC1)

**Applicant: Massey University**

**Institution application code: GMO02/MU013**

**Purpose:** Identification and characterisation of protein antigens that induce a protective response against *Salmonella brandenberg* in sheep with a view to using them in a sub-unit  
**Update of GMO00/MU020**

**ERMA Approval code(s): GMD002366**

**Description of organism:** *Escherichia coli* modified with pET14b expression vector containing *Salmonella brandenberg* genes

**Decision:** Approved with controls (PC2)

**Applicant: Massey University**

**Institution application code: GMO02/MU014**

**Purpose:** To develop a defined sub-unit vaccine against Johne's Disease  
**Update of GMO99/MU079**

**ERMA Approval code(s): GMD002367**

**Description of organism:** *Escherichia coli* modified with pET14b expression vector containing *Mycobacterium paratuberculosis* genes

**Decision:** Approved with controls (PC2)

**Applicant: University of Auckland**

**Institution application code: GMO02/UA011**

**Purpose:** To determine if interfering with the function of PLC-beta will prevent the transformation of a normal cell into a cancer cell in a wide range of human cancers

**ERMA Approval code(s): GMD002368-2374**

**Description of organism:** *Escherichia coli*, *Criteculus griseus* cell lines, *Homo sapiens* cell lines, *Mus musculus* cell lines, *Mus spretus* cell lines, *Rattus norvegicus* cell lines as modified by non-conjugative plasmid cloning vectors, nonviral expression vectors and/or insect expression vectors with the following inserts from mouse, rat, and human genes encoding phospholipase C (wild type and mutant forms), IGF-1 receptor (wild type and mutant forms) and reporter genes

**Decision:** Approved with controls (PC1)

**Applicant: University of Auckland**

**Institution application code: GMO02/UA018**

**Purpose:** To use cloned human DNA fragments as probes for mutation detection in human DNA

**ERMA Approval code(s): GMD002375**

**Description of organism:** *Escherichia coli* as modified by non-conjugative vectors (pBluescript, pUC19 and pSPORT) containing partial sequences of human genes (*Homo sapiens*) associated with the following genetic disorders:

- 1) fragile X syndrome
- 2) Prader Willi and Angelman syndrome
- 3) Mytonic dystrophy
- 4) Huntington Disease
- 5) Duchenne muscular dystrophy

**Decision:** Approved with controls (PC1)

**Applicant: University of Auckland**

**Institution application code: GMO02/UA020**

**Purpose:** To increase fundamental understanding of magnesium transport in higher eukaryotes

**ERMA Approval code(s): GMD002376-2382**

**Description of organism:** *Escherichia coli*, *Agrobacterium tumefaciens*, *Arabidopsis thaliana*, *Nicotiana benthamiana*, *Nicotiana glutinosa*, *Nicotiana plumbaginifolia* and *Nicotiana tabacum* as modified by non-conjugative vectors with putative magnesium transporters from bacterial,

yeast (*Saccharomyces cerevisiae*), plant and mammalian origin

**Decision:** Approved with controls (PC1 and PC2)

**Applicant: University of Auckland**

**Institution application code: GMO02/UA022**

**Purpose:** To determine the extent of genetic variation within the population of the feline immunodeficiency virus (FIV)

**ERMA Approval code(s): GMD002383**

**Description of organism:** *Escherichia coli* (K12 and B strains) modified by non-conjugative vectors with PCR generated feline immunodeficiency virus genes encoding V3 and V4 loops of gp 110 (between 5-600 bp long)

**Decision:** Approved with controls (PC1)

**Applicant: University of Otago**

**Institution application code: GMO02/UO016**

**Purpose:** To reapply under the HSNO legislation to continue development of an imported vaccine against tuberculosis

**ERMA Approval code(s): GMD002384**

**Description of organism:** *Mycobacterium bovis* BLG strain modified with plasmid pMV261, murine cytokine inducing genes and GFP gene for green fluorescent protein from *Aequorea victoria*

**Decision:** Approved with controls (PC2)

**Applicant: University of Otago**

**Institution application code: GMO02/UO028**

**Purpose:** To express human autoantigen proteins

**ERMA Approval code(s): GMD002385-2386**

**Description of organism:** *Escherichia coli* K12 and B derivatives and *Autographica californica nucleopolyhedrovirus* BAKPAK 6 (polyhedron negative phenotype) or similar strains modified with non-conjugative plasmids (pAcVW51 or similar) for the generation of recombinant baculovirus cDNA of human autoantigen genes

**Decision:** Approved with controls (PC1)

**Applicant: University of Otago**

**Institution application code: GMO02/UO029**

**Purpose:** Structure/function studies in photosynthetic organisms  
**Update of GMO99/UO009**

**ERMA Approval code(s): GMD002387**

**Description of organism:** *Escherichia coli* K12 or B strains modified with non-conjugative plasmid or phage vectors, genes related to photosynthesis and growth from *Arabidopsis thaliana*, *Hydrastis canadensis* (goldenseal), *Panax ginseng* (Korean ginseng), *Panax quinquefolius* (American ginseng), *Pisum sativum* (pea), *Oryza sativa* (rice), *Spinacia oleracea* (spinach), *Nicotiana tabacum* (tobacco) and *Zea mays* (maize)

**Decision:** Approved with controls (PC1)

**Applicant:** University of Otago

**Institution application code:** GMO02/UO032

**Purpose:** To determine the genetic control of bacterial adherence and biofilm production in *Moraxella catarrhalis*  
**Update of GMO00/UO007**

**ERMA Approval code(s): GMD002390-2391**

**Description of organism:** *Escherichia coli* modified with non-conjugative plasmids pBluescript or pUC18; DNA from *Moraxella catarrhalis*  
*Moraxella catarrhalis* modified with non-conjugative plasmids, Kanamycin resistance cassette of pUC4KINN fragments of *Moraxella catarrhalis* chromosomal DNA

**Decision:** Approved with controls (PC1 and PC2)

**Applicant:** University of Otago

**Institution application code:** GMO02/UO030

**Purpose:** Investigate the factors leading to the formation of rough colony variants by the food-bourne pathogenic bacterium *Listeria monocytogenes*

**ERMA Approval code(s): GMD002388-2389**

**Description of organism:** *Escherichia coli* modified with non-conjugative plasmid vectors and *Escherichia coli* – *Listeria monocytogenes* non conjugative shuttle vectors; uncharacterised genomic DNA and characterised genes related to the Sec secretory pathway from *Listeria monocytogenes*

*Listeria monocytogenes* modified with *Escherichia coli* – *Listeria monocytogenes* non-conjugative shuttle vector; genes related to the Sec secretor pathway from *Listeria monocytogenes*

**Decision:** Approved with controls (PC1 and PC2)

**HAZARDOUS SUBSTANCES****NOTIFIED APPLICATIONS RECEIVED AND OPEN FOR SUBMISSIONS**

**Application Code:** HSR02050

**Applicant:** Taranaki Nuchem Limited

**Purpose:** To manufacture and release Taratek GC, a water soluble antispain product with corrosive, toxic and ecotoxic properties

**Date Application Received:** 29 October 2002

**Date Publicly Notified:** 6 November 2002

**Date Submissions Close:** 18 December 2002

**Application Code:** HSR02040

**Applicant:** Reckitt Benckiser (NZ) Limited

**Purpose:** To import RB-2-105, with the active ingredient bifenthrin, for use as a domestic use insecticide in New Zealand

**Date Application Received:** 14 November 2002

**Date Publicly Notified:** 18 November 2002

**Date Submissions Close:** 24 January 2003

**Application Code:** HSR02052

**Applicant:** Multi-Fill Pty Limited

**Purpose:** To import signature range fly and insect killer multi purpose, signature range natural pyrethrum fly and insect killer, and signature range crawling insect killer surface spray, each for use as household insecticide strictly for indoor domestic/household use

**Date Application Received:** 25 November 2002

**Date Publicly Notified:** 27 November 2002

**Date Submissions Close:** 4 February 2003

**Application Code:** HSR02051

**Applicant:** Yates New Zealand Limited

**Purpose:** To import Pyganic for use as an insecticide on New Zealand crops

**Date Application Received:** 30 October 2002

**Date Publicly Notified:** 28 November 2002

**Date Submissions Close:** 4 February 2003

**NON NOTIFIED APPLICATIONS RECEIVED**

**Application Code:** HSR02057

**Applicant:** Elliott Chemicals Limited

**Purpose:** To import Contans WG, a biological plant protection agent based on *Coniothyrium minitans*

**Date Application Received:** 11 November 2002

**Application Code:** HSC02009

**Applicant:** Dow AgroSciences

**Purpose:** To import for field testing the toxic and ecotoxic spinosad analogues formulated as WRS-X-S1 and WRS-X-S2 to assess their ability to control plant damaging insects in various fruit and vegetable crops

**Date Application Received:** 18 November 2002

**Controls:**

Control Code <sup>1</sup>	Regulation <sup>2</sup>	Explanation <sup>3</sup>
<b>Hazardous Substances (Classes 1 to 5 Control Regulations) Regulations 2001 – Flammable Property Controls</b>		
F6	Regulations 60 – 70	Requirements to prevent unintended ignition of flammable liquids (3.1)
F11	Regulation 76	Segregation of incompatible substances
F17	Regulations 84 – 85	Requirements to control adverse effects of intended ignition of flammable substances, including requirements for protective equipment and clothing
<b>Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 – Ecotoxic Property Controls</b>		
E1	Regulations 32 – 45	Limiting exposure to ecotoxic substances
E2	Regulations 46 – 48	Restrictions on use within application area
E5	Regulations 5(2), 6	Requirements for keeping records of use
E6	Regulation 7	Requirements for equipment used to handle substances
E7	Regulation 9	Approved handler requirements
E8	Regulation 10	Restrictions on the carriage of hazardous substances on passenger service vehicles

<sup>1</sup> Note: The numbering system used in this column relates to the coding system used in the ERMA New Zealand Controls Matrix. This links the hazard classification categories to the regulatory controls triggered by each category. It is available from ERMA New Zealand and is also contained in the ERMA New Zealand *User Guide to the Controls Regulations*.

<sup>2</sup> These regulations form the controls applicable to this substance. Refer to the cited regulations for the formal specification, and for definitions and exemptions. The accompanying explanation is intended for guidance only.

<sup>3</sup> These explanations are for guidance only. Refer to the cited regulations for the formal specification, and for definitions and exemptions.

Hazardous Substances (Identification) Regulations 2001		
I1	Regulations 6, 7, 32 – 35, 36(1) – (7)	<b>General identification requirements</b> Regulation 6 – Identification duties of suppliers Regulation 7 – Identification duties of persons in charge Regulations 32 and 33 – Accessibility of information Regulations 34, 35, 36(1) – (7) – Comprehensibility, clarity and durability of information
I3	Regulation 9	Priority identifiers for ecotoxic substances
I5	Regulation 11	Priority identifiers for flammable substances
I9	Regulation 18	Secondary identifiers for all hazardous substances
I11	Regulation 20	Secondary identifiers for ecotoxic substances
I13	Regulation 22	Secondary identifiers for flammable substances
I19	Regulations 29 – 31	Alternative information in certain cases Regulation 29 – Substances in fixed bulk containers or bulk transport containers Regulation 30 – Substances in multiple packaging Regulation 31 – Alternative information when substances are imported
I21	Regulations 37 – 39, 47 – 50	Documentation required in places of work Regulation 37 – Documentation duties of suppliers Regulation 38 – Documentation duties of persons in charge of places of work Regulation 39 – General content requirements for documentation Regulation 47 – Information not included in approval Regulation 48 – Location and presentation requirements for documentation Regulation 49 – Documentation requirements for vehicles Regulation 50 – Documentation to be supplied on request
I23	Regulation 41	Specific documentation requirements for ecotoxic substances
I25	Regulation 43	Specific documentation requirements for flammable substances
I29	Regulations 51 – 52	Duties of persons in charge of places with respect to signage
Hazardous Substances (Packaging) Regulations 2001		
P1	Regulations 5, 6, 7(1), 8	<b>General packaging requirements</b> Regulation 5 – Ability to retain contents Regulation 6 – Packaging markings Regulation 7(1) – Requirements when packing hazardous substance Regulation 8 – Compatibility
P3	Regulation 9	Packaging requirements for substances packed in limited quantities
P15	Regulation 21	Packaging requirements for ecotoxic substances
PG3	Schedule 3	This schedule provides the test methods for packaging required to be tested in accordance with this schedule. The tests in Schedule 3 correlate to the packaging requirements of UN Packing Group III (UNPGIII).
Hazardous Substances (Disposal) Regulations 2001		
D2	Regulation 6	Disposal requirements for flammable substances
D6	Regulation 10	Disposal requirements for packages
D7	Regulations 11, 12	Information requirements
D8	Regulations 13, 14	Documentation requirements

Hazardous Substances (Emergency Management) Regulations 2001		
EM1	Regulations 6, 7, 9 – 11	<b>Level 1 emergency management information: General requirements</b>
EM4	Regulation 8i	<b>Additional information requirements for flammable substances</b>
EM7	Regulation 8(f)	<b>Information requirements for ecotoxic substance</b>
EM8	Regulations 12 – 16, 18 – 20	<b>Level 2 emergency management information requirements</b>
EM9	Regulation 17	<b>Extra content for flammable substances</b>
EM10	Regulations 21 – 24	<b>Fire extinguishers</b>
EM11	Regulations 25 – 34	<b>Level 3 emergency management requirements – emergency response plans</b>
EM12	Regulations 35 – 41	<b>Level 3 emergency management requirements – secondary containment</b>
EM13	Regulation 42	<b>Level 3 emergency management requirements – signage</b>
Hazardous Substances (Tracking) Regulations 2001		
TR1	Regulations 4(1), 5, 6	<b>General tracking requirements</b>
Hazardous Substances (Personnel Qualification) Regulations 2001		
AH1	Regulations 4 – 6	<b>Approved Handler requirements (including test certificate and qualification requirements)</b>

The Environmental Risk Management Authority reached a decision on the following application on 11 November 2002

**Application code:** HSR02033

**Applicant:** Appleton Associates Limited

**Purpose:** To import and manufacture the hazardous substance Tend Skin Lotion a cosmetic solution used in hair removal

**Description of Substances:** Tend Skin Lotion

**Classifications:** 3.1C, 6.1D, 6.4A, 9.3C

**Decision:** Approved with Controls

**ERMA Approval Code:** HSR000027

**Controls:**

Control Code <sup>4</sup>	Regulation <sup>5</sup>	Explanation <sup>6</sup>
Hazardous Substances (Classes 1 to 5 Control Regulations) Regulations 2001 – Flammable Property Controls		
F1	Regulation 7	<b>General test certification requirements for all class 1 to 5 substances</b>
F3	Regulation 55	<b>General limits on flammable substances</b>
F5	Regulations 58 – 59	<b>Requirements regarding hazardous atmosphere zones for flammable liquids (3.1)</b>

<sup>4</sup> Note: The numbering system used in this column relates to the coding system used in the ERMA New Zealand Controls Matrix. This links the hazard classification categories to the regulatory controls triggered by each category. It is available from ERMA New Zealand and is also contained in the ERMA New Zealand *User Guide to the Controls Regulations*.

<sup>5</sup> These regulations form the controls applicable to this substance. Refer to the cited regulations for the formal specification, and for definitions and exemptions. The accompanying explanation is intended for guidance only.

<sup>6</sup> These explanations are for guidance only. Refer to the cited regulations for the formal specification, and for definitions and exemptions.

F6	Regulations 60 – 70	Requirements to prevent unintended ignition of flammable liquids (3.1)
F11	Regulation 76	Segregation of incompatible substances
F12	Regulations 77 – 78	General requirement for hazardous substance locations for flammable substances
F14	Regulation 81	Test certification requirements for facilities where class 3.1 substances are present
F16	Regulation 83	Controls on transit depots where flammable substances are present
F17	Regulations 84 – 85	Requirements to control adverse effects of intended ignition of flammable substances, including requirements for protective equipment and clothing
Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 – Toxic Property Controls		
T1	Regulations 11 – 27	Limiting exposure to toxic substances
T2	Regulations 29, 30	Controlling exposure in places of work
T4	Regulation 7	Requirements for equipment used to handle substances
T8	Regulation 28	Controls on Vertebrate Poisons
Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 – Ecotoxic Property Controls		
E2	Regulations 46 – 48	Restrictions on use within application area
E4	Regulations 50 – 51	Controls relating to protection of terrestrial vertebrates
E6	Regulation 7	Requirements for equipment used to handle substances
E8	Regulation 10	Restrictions on the carriage of hazardous substances on passenger service vehicles
Hazardous Substances (Identification) Regulations 2001		
I1	Regulations 6, 7, 32 – 35, 36(1) – (7)	General identification requirements Regulation 6 – Identification duties of suppliers Regulation 7 – Identification duties of persons in charge Regulations 32 and 33 – Accessibility of information Regulations 34, 35, 36(1) – (7) – Comprehensibility, Clarity and Durability of information
I5	Regulation 11	Priority identifiers for flammable substances
I8	Regulation 14	Priority identifiers for certain toxic substances
I9	Regulation 18	Secondary identifiers for all hazardous substances
I11	Regulation 20	Secondary identifiers for ecotoxic substances
I13	Regulation 22	Secondary identifiers for flammable substances
I16	Regulation 25	Secondary identifiers for toxic substances
I17	Regulation 26	Use of Generic Names
I18	Regulation 27	Requirements for using concentration ranges

I19	Regulations 29 – 31	Alternative information in certain cases Regulation 29 – Substances in fixed bulk containers or bulk transport containers Regulation 30 – Substances in multiple packaging Regulation 31 – Alternative information when substances are imported
I20	Regulation 36(8)	Durability of information for class 6.1 substances
I21	Regulations 37 – 39, 47 – 50	Documentation required in places of work Regulation 37 – Documentation duties of suppliers Regulation 38 – Documentation duties of persons in charge of places of work Regulation 39 – General content requirements for documentation Regulation 47 – Information not included in approval Regulation 48 – Location and presentation requirements for documentation Regulation 49 – Documentation requirements for vehicles Regulation 50 – Documentation to be supplied on request
I25	Regulation 43	Specific documentation requirements for flammable substances
I28	Regulation 46	Specific documentation requirements for toxic substances
I29	Regulations 51 – 52	Duties of persons in charge of places with respect to signage
I30	Regulation 53	Advertising corrosive and toxic substances
Hazardous Substances (Packaging) Regulations 2001		
P1	Regulations 5, 6, 7(1), 8	General packaging requirements Regulation 5 – Ability to retain contents Regulation 6 – Packaging markings Regulation 7(1) – Requirements when packing hazardous substance Regulation 8 – Compatibility
P3	Regulation 9	Packaging requirements for substances packed in limited quantities
P5	Regulation 11	Packaging requirements for flammable liquids (subclass 3.1)
P13	Regulation 19	Packaging requirements for toxic substances
P15	Regulation 21	Packaging requirements for ecotoxic substances
PG3	Schedule 3	This schedule provides the test methods for packaging required to be tested in accordance with this schedule. The tests in Schedule 3 correlate to the packaging requirements of UN Packing Group III (UNPGIII).
Hazardous Substances (Disposal) Regulations 2001		
D2	Regulation 6	Disposal requirements for flammable substances
D6	Regulation 10	Disposal requirements for packages
D7	Regulations 11, 12	Information requirements
D8	Regulations 13, 14	Documentation requirements
Hazardous Substances (Emergency Management) Regulations 2001		
EM1	Regulations 6, 7, 9 – 11	Level 1 emergency management information: General requirements
EM4	Regulation 8(c)	Information requirements for flammable substances
EM6	Regulation 8(e)	Information requirements for toxic substances

EM7	Regulation 8(f)	Information requirements for ecotoxic substances
EM8	Regulations 12 – 16, 18 – 20	Level 2 emergency management information requirements
EM9	Regulation 17	Extra content for flammable substances
EM10	Regulations 21 – 24	Fire extinguishers
EM11	Regulations 25 – 34	Level 3 emergency management requirements – emergency response plans
EM12	Regulations 35 – 41	Level 3 emergency management requirements – secondary containment
EM13	Regulation 42	Level 3 emergency management requirements – signage

The Environmental Risk Management Authority reached a decision on the following application on 25 November 2002

**Application code:** HSC02012

**Applicant:** BASF New Zealand Limited

**Purpose:** To import into containment BNZ001/02 and BNZ002/02 to conduct field trials to assess the efficacy of the substances in certain crops

**Description of Substances:** BNZ001/02 and BNZ002/02

**Classifications:** BNZ001/02 – 6.1D, 6.3B, 6.4A, 9.1A, 9.3B

BNZ002/02 – 6.1D, 6.4A, 9.1A, 9.3B

**Decision:** Approved with Controls

**ERMA Approval Code:** HSC000026-HSC000027

**Controls:**

**1. To limit the likelihood of escape of any contained hazardous substances or contamination by hazardous substances**

1.1 The trials shall be undertaken in accordance with the Project Plan and Management Plan, which accompanied the application except where the following controls direct otherwise. Modifications of the Project Plan or Management Plan may be approved in writing by ERMA New Zealand providing that they comply with the following controls.

1.2 The substances shall be applied by way of hand-held/operator-worn equipment, using hydraulic pressure or compressed CO<sub>2</sub> or air on plots specifically designated and marked for each treatment.

1.3 The trial sites shall be chosen so as to prevent any of the substances entering any surface water or groundwater system.

1.4 All trial sites shall be at least 50 metres from buildings where people live or work (commercial and research glasshouses being an exception).

1.5 Spraying shall be in accord with Section 5 of NZS8409: 1999 Code of Practice for the Management of Agrichemicals.

1.6 Sprayed produce shall be disposed of by either ploughing in, mulching or at an appropriate local authority operated landfill.

1.7 No sprayed produce shall be consumed by people or animals or offered for sale.

1.8 The substances shall be securely packed in containers being identified in accordance with the Hazardous Substances (Identification) Regulations 2001.

1.9 The transportation of the substances shall comply with The Land Transport Rule: Dangerous Goods 1999.

1.10 Storage shall be in accordance with the Code of Practice for the Management of Agrichemicals NZS8409: 1999.

1.11 Any portion of the substances (undiluted) surplus to requirements shall be disposed of by the following method:

- Returned to BASF.

1.12 The trial site boundaries shall be clearly marked and distinctly visible from outside the trial site throughout the life of the trial(s). The existence

of the trial shall be clearly marked to avoid accidental/incidental access and harvesting of treated crop.

**2. To exclude organisms or control organisms**

2.1 Grazing animals shall be excluded from all trial sites for the duration of the trial period. The trial period means the period from the date of initial application of the substances to the date of site close-off in accordance with Control 6.6. (See also Controls 1.1 and 3.1.)

**3. To exclude unauthorised people**

3.1 Access to the trial site(s) shall be by permission of the Trial Director<sup>7</sup> or owner of the property on which it is located. The trial site(s) shall be secured by stock proof fencing and all potential access points shall be signed indicating that unauthorised access is not allowed, that the site is subject to a trial, and that the crops should not be removed or disturbed. The Trial Director is the individual appointed by the Applicant to be responsible for the overall conduct of the trial in accordance with the Management plan and approval controls.

3.2 The number of entrances shall be determined by the nature of the secure boundaries and location of the site therein.

**4. To prevent unintended release of the substances by experimenters working with the substances**

4.1 The amount of the substances taken into each trial site shall be pre-measured in a controlled environment (for example, a laboratory) so as to be sufficient for the application to the designated plots.

4.2 Any surplus spray mix shall be disposed of within the trial site(s) by being further diluted and sprayed over a marked and designated non-crop and non-grazed area at the site.

4.3 The equipment used shall be rinsed after use with the appropriate detergent or decontaminant, and rinsate disposed of within the trial site by being sprayed over a marked and designated non-crop and non-grazed area at the site.

4.4 The mixing of the substances shall comply with section 5.5 of the Code of Practice for the Management of Agrichemicals NZS8409: 1999.

**5. To control the effects of any accidental release of the substances**

5.1 Any accidental spillage of the unmixed substances or spray mix shall be either diluted with water, sand or earth, and then spread over a marked and designated non-crop and non-grazed area within the trial site, or taken to an approved landfill.

5.2 To minimise the effects of any accidental release of the substances, the container label or a readily available (within 10 seconds) information sheet, such as an MSDS, shall carry appropriate safety precautions and relevant first aid measures for immediate action pending medical attention.

5.3 Should an accidental release and exposure occur, normal precautions (such as the careful washing of hands, face, clothing, and equipment) shall be observed.

**6. Inspection and monitoring requirements**

6.1 The Trial Director shall keep track of all use of the substances as per section 5.9.1 of Code of Practice for the Management of Agrichemicals NZS8409: 1999.

6.2 Prior to the initial application of the substances, the Trial Director shall inform Occupational Safety & Health, Head Office (Attn HSNO Project Manager (OSH) or equivalent position) and ERMA New Zealand in writing of the locations of the trial sites. The Trial Director shall inform OSH and ERMA New Zealand in writing of the start and completion of the field trials.

6.3 If for any reason a breach of containment occurs, the Trial Director shall notify OSH and ERMA New Zealand within 24 hours of the breach being detected.

6.4 The Authority or its authorised agent or properly authorised enforcement officers, may inspect the facilities and trial sites at any reasonable time in accordance with the Management Plan.

6.5 This approval is for one year from the date at which approval is given.

6.6 Site Close off – The Trial Director shall ensure that there are no detectable residues of the test substances in the whole of the trial site, including the area used for disposal of any surplus spray mix and rinsate.

**7. Qualifications required of the person responsible for implementing the controls**

7.1 The personnel applying the substances to the crops shall be GROWSAFE certified.

<sup>7</sup> The Trial Director is the individual appointed by the Applicant to be responsible for the overall conduct of the trial in accordance with the Management plan and approval controls.

## DELEGATED AUTHORITY

The Chief Executive of the Environment Risk Management Authority, acting under delegated power from the Authority, reached a decision on the following application on 19 November 2002

**Application code:** HSR02043

**Applicant:** AGRENZ Limited

**Purpose:** To import Aquabac xt, a biological larvicide, formulated as an aqueous suspension containing *Bacillus thuringiensis* var. *israelensis* (Bti), for the control of mosquito larvae

### Controls:

Control Code <sup>8</sup>	Regulation <sup>9</sup>	Explanation <sup>10</sup>
Hazardous Substances Classes (6, 8, and 9) control regulations		
E6	Regulation 7	Requirements for equipment used to handle substances
E8	Regulation 10	Restrictions on the carriage of hazardous substances on passenger service vehicles
Hazardous Substances (Identification) Regulations 2001		
I1	Regulations 6, 7, 32 – 35, 36(1) – (7)	General identification requirements Regulation 6 – Identification duties of suppliers Regulation 7 – Identification duties of persons in charge Regulations 32 and 33 – Accessibility of information Regulations 34, 35, 36(1) – (7) – Comprehensibility, Clarity and Durability of information
I9	Regulation 18	Secondary identifiers for all hazardous substances
I11	Regulation 20	Secondary identifiers for ecotoxic substances
I19	Regulations 29 – 31	Alternative information in certain cases Regulation 29 – Substances in fixed bulk containers or bulk transport containers Regulation 30 – Substances in multiple packaging Regulation 31 – Alternative information when substances are imported
I21	Regulations 37 – 39, 47 – 50	Documentation required in places of work
I29	Regulations 51 – 52	Duties of persons in charge of places with respect to signage
Hazardous Substances (Packaging) Regulations 2001		
P1	Regulations 5, 6, 7(1), 8	General packaging requirements
P3	Regulation 9	Packaging requirements for substances packed in limited quantities

<sup>8</sup> Note: The numbering system used in this column relates to the coding system used in the ERMA New Zealand Controls Matrix. This links the hazard classification categories to the regulatory controls triggered by each category. It is available from ERMA New Zealand and is also contained in the ERMA New Zealand *User Guide to the Controls Regulations*.

<sup>9</sup> These regulations form the controls applicable to this substance. Refer to the cited regulations for the formal specification, and for definitions and exemptions. The accompanying explanation is intended for guidance only.

<sup>10</sup> These explanations are for guidance only. Refer to the cited regulations for the formal specification, and for definitions and exemptions.

**Description of Substances:** Aquabac xt

**Classifications:** 9.1D

**Decision:** Approved with Controls

**ERMA Approval Code:** HSR000029

Hazardous Substances (Disposal) Regulations 2001		
D5	Regulations 9	Disposal requirements for toxic and ecotoxic substances
D6	Regulation 10	Disposal requirements for packages
D7	Regulations 11, 12	Information requirements
D8	Regulations 13, 14	Documentation requirements
Hazardous Substances (Emergency Management) Regulations 2001		
EM1	Regulations 6, 7, 9 – 11	Level 1 emergency management information: General requirements
EM7	Regulation 8(f)	Information requirements for ecotoxic substances
EM8	Regulations 12 – 16, 18 – 20	Level 2 emergency management information requirements
EM11	Regulations 25 – 34	Level 3 emergency management requirements – emergency response plans
EM12	Regulations 35 – 41	Level 3 emergency management requirements – secondary containment
EM13	Regulation 42	Level 3 emergency management requirements – signage

The Chief Executive of the Environment Risk Management Authority, acting under delegated power from the Authority, reached a decision on the following application on 19 November 2002

**Application code:** HSR02044

**Applicant:** Grosafe Chemicals Limited

**Purpose:** To import Bactur 48 LC containing *Bacillus thuringiensis* var. *kurstaki* (Btk) for control of insect pests such as tussock moth, gypsy moth and painted apple moth

### Controls:

Control Code <sup>11</sup>	Regulation <sup>12</sup>	Explanation <sup>13</sup>
Hazardous Substances Classes (6, 8, and 9) control regulations		
E6, T4	Regulation 7	Requirements for equipment used to handle substances
E8, T7	Regulation 10	Restrictions on the carriage of hazardous substances on passenger service vehicles
Hazardous Substances (Identification) Regulations 2001		
I1	Regulations 6, 7, 32 – 35, 36(1) – (7)	General identification requirements Regulation 6 – Identification duties of suppliers Regulation 7 – Identification duties of persons in charge Regulations 32 and 33 – Accessibility of information Regulations 34, 35, 36(1) – (7) – Comprehensibility, Clarity and Durability of information

<sup>11</sup> Note: The numbering system used in this column relates to the coding system used in the ERMA New Zealand Controls Matrix. This links the hazard classification categories to the regulatory controls triggered by each category. It is available from ERMA New Zealand and is also contained in the ERMA New Zealand *User Guide to the Controls Regulations*.

<sup>12</sup> These regulations form the controls applicable to this substance. Refer to the cited regulations for the formal specification, and for definitions and exemptions. The accompanying explanation is intended for guidance only.

<sup>13</sup> These explanations are for guidance only. Refer to the cited regulations for the formal specification, and for definitions and exemptions.

I9	Regulation 18	Secondary identifiers for all hazardous substances
I11	Regulation 20	Secondary identifiers for ecotoxic substances
I16	Regulation 25	Secondary identifiers for toxic substances
I19	Regulations 29 – 31	Alternative information in certain cases Regulation 29 – Substances in fixed bulk containers or bulk transport containers Regulation 30 – Substances in multiple packaging Regulation 31 – Alternative information when substances are imported
I21	Regulations 37–39, 47–50	Documentation required in places of work
I28	Regulation 46	Specific documentation requirements for toxic substances
I29	Regulations 51 – 52	Duties of persons in charge of places with respect to signage
Hazardous Substances (Packaging) Regulations 2001		
P1	Regulations 5, 6, 7(1), 8	General packaging requirements
P3	Regulation 9	Packaging requirements for substances packed in limited quantities
P13	Regulation 19	Packaging requirements for toxic substances
Hazardous Substances (Disposal) Regulations 2001		
D4	Regulation 8	Disposal requirements for toxic and corrosive substances
D5	Regulations 9	Disposal requirements for toxic and ecotoxic substances
D6	Regulation 10	Disposal requirements for packages
D7	Regulations 11, 12	Information requirements
D8	Regulations 13, 14	Documentation requirements
Hazardous Substances (Emergency Management) Regulations 2001		
EM1	Regulations 6, 7, 9 – 11	Level 1 emergency management information: General requirements
EM6	Regulation 8(e)	Information requirements for toxic substances
EM7	Regulation 8(f)	Information requirements for ecotoxic substances
EM8	Regulations 12 – 16, 18 – 20	Level 2 emergency management information requirements
EM11	Regulations 25 – 34	Level 3 emergency management requirements – emergency response plans
EM12	Regulations 35 – 41	Level 3 emergency management requirements – secondary containment
EM13	Regulation 42	Level 3 emergency management requirements – signage

The Chief Executive of the Environment Risk Management Authority, acting under delegated power from the Authority, reached a decision on the following application on 25 November 2002

**Application code:** HSR02048

**Applicant:** AGRENZ Limited

**Purpose:** To import Aquabac 200 G and Aquabac 400 G, biological larvicides containing *Bacillus thuringiensis* Berliner var. *israelensis* (Bti) for the control of mosquito larvae

**Description of Substances:** Aquabac 200 G and Aquabac 400 G

**Classifications:** 9.1D

**Decision:** Approved with Controls

**ERMA Approval Code:** HSR000030-HSR000031

**Controls:**

Control Code <sup>14</sup>	Regulation <sup>15</sup>	Explanation <sup>16</sup>
Hazardous Substances Classes (6, 8, and 9) control regulations		
E6	Regulation 7	Requirements for equipment used to handle substances
E8	Regulation 10	Restrictions on the carriage of hazardous substances on passenger service vehicles
Hazardous Substances (Identification) Regulations 2001		
I1	Regulations 6, 7, 32 – 35, 36(1) – (7)	General identification requirements Regulation 6 – Identification duties of suppliers Regulation 7 – Identification duties of persons in charge Regulations 32 and 33 – Accessibility of information Regulations 34, 35, 36(1) – (7) – Comprehensibility, Clarity and Durability of information
I9	Regulation 18	Secondary identifiers for all hazardous substances
I11	Regulation 20	Secondary identifiers for ecotoxic substances
I19	Regulations 29 – 31	Alternative information in certain cases Regulation 29 – Substances in fixed bulk containers or bulk transport containers Regulation 30 – Substances in multiple packaging Regulation 31 – Alternative information when substances are imported
I21	Regulations 37 – 39, 47 – 50	Documentation required in places of work
I29	Regulations 51 – 52	Duties of persons in charge of places with respect to signage
Hazardous Substances (Packaging) Regulations 2001		
P1	Regulations 5, 6, 7(1), 8	General packaging requirements
P3	Regulation 9	Packaging requirements for substances packed in limited quantities
Hazardous Substances (Disposal) Regulations 2001		
D5	Regulations 9	Disposal requirements for ecotoxic substances

<sup>14</sup> Note: The numbering system used in this column relates to the coding system used in the ERMA New Zealand Controls Matrix. This links the hazard classification categories to the regulatory controls triggered by each category. It is available from ERMA New Zealand and is also contained in the ERMA New Zealand *User Guide to the Controls Regulations*.

<sup>15</sup> These regulations form the controls applicable to this substance. Refer to the cited regulations for the formal specification, and for definitions and exemptions. The accompanying explanation is intended for guidance only.

<sup>16</sup> These explanations are for guidance only. Refer to the cited regulations for the formal specification, and for definitions and exemptions.

D6	Regulation 10	<b>Disposal requirements for packages</b>
D7	Regulations 11, 12	<b>Information requirements</b>
D8	Regulations 13, 14	<b>Documentation requirements</b>
<b>Hazardous Substances (Emergency Management) Regulations 2001</b>		
EM1	Regulations 6, 7, 9 – 11	<b>Level 1 emergency management information: General requirements</b>
EM7	Regulation 8(f)	<b>Information requirements for ecotoxic substances</b>
EM8	Regulations 12 – 16, 18 – 20	<b>Level 2 emergency management information requirements</b>
EM11	Regulations 25 – 34	<b>Level 3 emergency management requirements – emergency response plans</b>
EM13	Regulation 42	<b>Level 3 emergency management requirements – signage</b>

## TEST CERTIFIERS

There have been no test certifier applications decided in this period