

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

**Application Code:** GMD02075

**Applicant:** University of Otago

**Purpose:** To develop in containment non-occluded virus from *Oryctes rhinoceros* beetle containing the polyhedron gene from *Autographica californica* baculovirus (transfer of ACNGT approved organisms to approved status under the HSNO Act)

**Date Application Received:** 10 March 2003

**Application Code:** NOC03001

**Applicant:** AgResearch Limited, Lincoln

**Purpose:** To import into containment a nucleopolyhedrovirus of the painted apple moth, *Teia anartoides*, from Australia to test the environmental safety of the strain as a possible biocontrol agent for use in New Zealand

**Date Application Received:** 24 March 2003

**Application code:** S2602009

**Applicant:** Alois Wolloner

**Purpose:** Application to determine that a range of coral are not new organisms under section 26 of the HSNO Act

**Date Application Received:** 26 March 2003

### APPLICATIONS RECEIVED AND STALLED

**Application code:** GMC02008

**Applicant:** HortResearch, Mt Albert Research Centre

**Purpose:** To import into containment lines of *Arabidopsis thaliana* that contain DNA introduced via transgenic techniques

**Date Application Received:** 11 March 2003

**Date Stalled:** 19 March 2003

**Reason Stalled:** Under Section 52 of the HSNO Act the Authority considers that the applicant is able to provide further relevant information

### DECISIONS ON APPLICATIONS

There have been no decisions made by the Authority in this period.

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ENVIRONMENTAL RISK MANAGEMENT AUTHORITY  
NGĀ KAIWHAKATŪPATO WHAKARARU TAIAO



## DELEGATED AUTHORITY

The Chief Executive of the Environmental Risk Management Authority, acting under delegated power from the Authority, reached a decision on the following application on 26 February 2003

**Application Code: GMD03013**

**Applicant: University of Canterbury**

**Purpose:** To develop in containment strains of *Escherichia coli* modified with very small fragments of kaki (*Himantopus novaezelandiae*) genomic DNA in order to develop novel molecular genetic markers for use in conservation management of the endangered kaki

**Description of Organisms:** *Escherichia coli* K12, and its derivatives (Migula, 1895; Castellani and Chalmers, 1919), strain DH5 $\delta$  modified by non-conjugative plasmid vectors containing genetic material from the *Himantopus novaezelandiae* (kaki or Black Stilt) genome

**Decision:** Approved with Controls

**ERMA Approval Code: GMD002516**

### Controls:

In order to provide for the matters detailed in Part 1 of the Third Schedule of the HSNO Act, Containment Controls for Importation, Development and Field Testing of Genetically Modified Organisms, the approved organisms<sup>1</sup> are subject to the following controls:

#### 1. To limit the likelihood of any accidental release of any organism or any viable genetic material<sup>2</sup>.

- 1.1 The approved organism shall be developed and maintained within a containment facility which complies with these controls.
- 1.2 The person responsible for a particular research area and/or the person responsible for the operation of the containment facility shall inform all personnel involved in the handling of the organisms of the Authority's controls.
- 1.3 The construction and operation of the containment facility in which the organisms are maintained, shall be in accordance with the:
  - a) MAF/ERMA New Zealand Standard 154.03.02: Containment Facilities for Micro organisms, at laboratory Physical Containment Level 1 (PC1).

- b) Australian New Zealand Standard AS/NZS 2243.3:2002 Safety in Laboratories: Part 3: Microbiological aspects of containment and facilities.

- 1.4 The facility shall be approved and registered by MAF as a containment facility under section 39 of the Biosecurity Act, in accordance with the MAF/ERMA New Zealand Standard 154.03.02, and controls imposed by the Authority.

#### 2. To exclude unauthorised people from the facility.

- 2.1 Construction and operation of the containment facility shall comply with the requirements of the standards listed in control 1.3 relating to the identification of entrances, numbers of and access to entrances and security requirements for the entrances and the facility.

#### 3. To exclude other organisms from the facility and to control undesirable and unwanted organisms within the facility.

- 3.1 Construction and operation of the containment facility shall comply with the requirements of the standards listed in control 1.3 relating to the exclusion of other organisms from the facility and the control of undesirable and unwanted organisms within the facility.

#### 4. To prevent unintended release of the organism by experimenters working with the organism.

- 4.1 Construction and operation of the containment facility shall comply with the requirements of the standards listed in control 1.3 relating to the prevention of unintended release of the organism by experimenters working with the organism.

#### 5. To control the effects of any accidental release or escape of an organism.

- 5.1 Construction and operation of the containment facility shall comply with the requirements of the standards listed in control 1.3 relating to controlling the effects of any accidental release or escape of an organism.
- 5.2 If for any reason a breach of containment occurs, the facility Supervisor<sup>3</sup>, MAF Biosecurity Authority and ERMA New Zealand shall be notified immediately the event is noticed (and at least within 24 hours of the breach being detected).
- 5.3 In the event of any breach of containment of the organism, the contingency plan for the attempted

<sup>1</sup> Bold headings refer to Matters to be Addressed by Containment Controls for Development and Field Testing of Genetically Modified Organisms, specified in the Third Schedule of the HSNO Act 1996.

<sup>2</sup> Viable Genetic Material is biological material that can be resuscitated to grow into tissues or organisms. It can be defined to mean biological material capable of growth even though resuscitation procedures may be required, eg when organisms or parts thereof are sublethally damaged by being frozen, dried, heated, or affected by chemical.

<sup>3</sup> An inspector appointed under the Biosecurity Act.

retrieval or destruction of any viable material of the organisms that have escaped shall be implemented immediately. The contingency plan shall be included in the containment manual in accordance with the requirements of standards listed in control 1.3.

**6. Inspection and monitoring requirements for containment facilities:**

6.1 The operation of the containment facilities shall comply with the requirements contained in the standards listed in control 1.3 relating to the inspection and monitoring requirements for containment facilities.

6.2 The Authority, or its authorised agent or properly authorised enforcement officers, may inspect the facilities at any reasonable time.

6.3 The containment manual shall be updated, as necessary, to address the implementation of the controls imposed by this approval, in accordance with the standards listed in control 1.3.

**7. Qualifications required of the persons responsible for implementing those controls.**

7.1 The training of personnel working in the facility shall be in compliance with the standards listed in control 1.3.

The Chief Executive of the Environmental Risk Management Authority, acting under delegated power from the Authority, reached a decision on the following application on 13 March 2003

**Application code: GMD03018**

**Applicant: Trees and Technology**

**Purpose:** To genetically transform *Eucalyptus* species and hybrids with constructs that affect wood properties and also reproductive fertility.  
Update to GMD01152.

**Description of Organisms:**

| Name of the host organism:   | Organism is modified with:  |
|--|---|
| <i>Escherichia coli</i> strains DH5 $\alpha$ , HB101, JM109                | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Agrobacterium tumefaciens</i> disarmed strains including AGL1 or EHA105 | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Eucalyptus grandis</i>  | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Eucalyptus camaldulensis</i>  | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Eucalyptus urophylla</i>  | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Eucalyptus nitens</i>   | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Eucalyptus saligna</i>  | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Eucalyptus grandis x saligna</i>  | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Eucalyptus grandis x urophylla</i>                                      | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Liquid amber styraciflua</i>  | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes . |
| <i>Nicotiana tabacum</i>   | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |
| <i>Nicotiana glauca</i>  | Genes of plant origin affecting wood quality, three floral regulatory genes and the barnase and barstar genes.  |

**Decision:** Approved with Controls

**ERMA Approval Code: GMD002549 — 2562**

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**Controls:**

In considering all the matters to be addressed detailed in the Third Schedule Part I Containment Controls for Development and Field Testing of Genetically Modified Organisms of the HSNO Act, the IBSC approval of the organisms are subject to the following controls:

1. The operation, management and construction of the facility shall be in accordance with
  - a) The MAF Biosecurity Authority/ERMA New Zealand Standard 154.03.02 and 155.04.09: Containment Facilities for Micro organisms and Containment Facilities for new organisms (including genetically modified organisms) of plant species.
  - b) Australian/New Zealand Standard (AS/NZS) 2243.3 Safety in Laboratories: Part 3: Microbiological aspects and containment facilities, at Physical Containment Level 2 (PC2)
2. The facility shall be approved and registered by MAF Biosecurity Authority as a containment facility under section 39 of the Biosecurity Act, in accordance with the MAF Biosecurity Authority/ERMA New Zealand Standards [154.03.02 and 155.04.09], with the additional controls as listed below.
3. If for any reason a breach of containment occurs the applicant shall notify the facility Supervisor<sup>4</sup> and ERMA New Zealand immediately the event is noticed (and at least within 24 hours of the breach being detected) and shall immediately implement a contingency plan for the recovery and eradication of any organisms or viable material that has escaped.
4. All culture products and associated materials shall be autoclaved, sterilised, or incinerated before being disposed of.
5. The Authority or its authorised agent or properly authorised enforcement officers, may inspect the facilities at any reasonable time.
6. The person responsible for developing and using the organisms approved herein shall inform all personnel involved in the handling of the organisms of the IBSCs controls.
7. Invitro plant cultures infected with *Agrobacterium* shall be treated in the laboratory with an antibiotic e.g. timentin suitable for the elimination of *Agrobacterium* species before being transferred to the PC2 plant house containment facility.
8. Before maturation of flowers, all reproductive structures shall be removed or securely enclosed by a pollination bag so as to ensure that no pollen or seeds shall become dispersed in the containment house or beyond.
9. All genetically modified plant material (including roots and used soil) not required for reference or analysis purposes shall be autoclaved before disposal.
10. Seeds, other viable genetic material or soil samples retained for analysis or reference purposes shall be collected and securely stored in sealed containers within PC2 laboratory or plant house containment as appropriate. The containers shall clearly identify the contents.
11. Viable plant material transported to another PC2 containment facility or to an airport for export overseas shall be transported in secure containers and in accordance with the packaging requirements detailed in: Packaging Instructions no. 650 of the IATA Dangerous Goods Regulations as referred to in AS/NZ 2243.3:1995 Safety in Laboratories: Part 3 (Microbiology). Each transfer shall be recorded in the containment facility register. The applicant shall ensure that no escape of material occurs during this transfer and examination. Before transfer from the containment facility the applicant shall request approval in writing from the Supervisor in accordance with the requirements of the MAF/ERMA NZ Standard 154.04.09: Containment Facilities for New Organisms (including genetically modified organisms) of Plant Species.
12. Plants that are in flower or are developing reproductive structures shall not be transported.
13. The applicant will continue with planned steps to meet with the Ngāti Awa Trust, to inform them more fully about the work covered by this approval.

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

**Applicant: AgResearch, Wallaceville**

**ERMA Approval Code: GMD002563 — 2565**

<sup>4</sup> An inspector appointed under the Biosecurity Act.

**Institution Code:** GMO03/ARW023

**Purpose:** *Mycobacterium paratuberculosis*, the causative organism of Johne's disease, will be mutated by molecular biological methods to produce attenuated strains with potential vaccine properties that will be tested in animals under biological containment

**Description of Organism:** *Escherichia coli* (k12 and B strains) modified with non-conjugative vectors and *Mycobacterium paratuberculosis* DNA

*Mycobacterium paratuberculosis* and *Mycobacterium smegmatis* modified with Mycobacterial-*Escherichia coli* shuttle vectors and *Mycobacterium paratuberculosis* DNA

**Decision:** Approved with controls / PC2

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**Applicant:** AgResearch, Wallaceville

**ERMA Approval Code:** GMD002566 — 2568

**Institution Code:** GMO03/ARW025

**Purpose:** To clone segments from the complete genome of possum viruses to allow DNA sequencing and further characterisation of the genetic information of the viruses

**Description of Organism:** *Escherichia coli* (K12 and B strains) modified with non-conjugative vectors and possum virus genomic fragments

*Autographica californica* nuclear polyhedrosis virus (Baculovirus) modified with non-conjugative vectors and possum virus genomic fragments

*Trichosurus vulpecula* cell lines (possum) modified with non-conjugative vectors and possum virus genomic fragments

**Decision:** Approved with controls / PC2

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**Applicant:** AgResearch, Wallaceville

**ERMA Approval Code:** GMD002569

**Institution Code:** GMO03/ARW026

**Purpose:** Part or all of ribosomal RNA genes and their flanking sequences will be cloned and sequenced from samples containing bacteria in order to discover or confirm the identity of the bacteria

**Description of Organism:** *Escherichia coli* (K12 and B strains) modified with non-conjugative vectors; and bacterial RNA gene sequence.

**Decision:** Approved with controls / PC2

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**Applicant:** HortResearch, Auckland

**ERMA Approval Code:** GMD002570 — 2571

**Institution Code:** GMO02/HRA067

**Purpose:** To determine environmental impacts of transgenic plants by measuring their effects on non-target herbivorous insects, their natural enemies and gut microbes, seeking evidence of horizontal gene transfer and tracking novel proteins and DNA in containment

**Description of Organism:** *Pinus radiata* and *Picea abies* with modifications approved in GMD01165 and now used for insect feeding trials in containment

**Decision:** Approved with controls / PC1 and PC2

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**Applicant:** Massey University

**ERMA Approval Code:** GMD002572 — 2576

**Institution Code:** GMO02/MU016

**Purpose:** To express recombinant heparanases for structural and biochemical studies by use of mammalian cells (COS-7 and NIH3T3) or insect cell lines (baculovirus system) as heterologous hosts

**Description of Organism:** *Escherichia coli* strains BL21(DE3), BL21(DE3)pLysS, Top10, Top10F', XL1-Blue modified with pCR3.1, pcDNA3.1 containing the heparanase genes hpa1 and hpa2 from *Homo sapiens*

*Mus musculus* fibroblast NIH3T3 cells modified with pCR3.1, pcDNA3.1 containing the heparanase genes hpa1 and hpa2 from *Homo sapiens*

*Cercopithecus aethiops* kidney COS-7 cells modified with pCR3.1, pcDNA3.1 containing the heparanase genes hpa1 and hpa2 from *Homo sapiens*

*Spodoptera frugiperda* 21 cells modified with pBacPAK8 or BacPAK9 containing the heparanase genes hpa1 and hpa2 from *Homo sapiens*

*Pichia pastoris* cells modified with pPICZ A, B or C and pPICZalpha A, B or C containing the heparanase genes hpa1 and hpa2 from *Homo sapiens*

**Decision:** Approved with controls / PC1 and PC2

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**Applicant:** Massey University

**ERMA Approval Code:** GMD002577

**Institution Code:** GMO03/MU001

**Purpose:** To clone flowering genes from *Metrosideros collina* var Tahiti to determine their sequences and to use clones for developing probes to study expression patterns of these genes in this and other *Metrosideros* species. Update of GMO00/MU019

**Description of Organism:** *Escherichia coli* strain DHalpha5 modified with non-conjugating plasmid vectors containing DNA fragment or putative floral genes from *Metrosideras collina*, *Sophora cassioides*, *Swainsona formosa* and *Arabidopsis lyrata*

**Decision** Approved with controls / PC1

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**Applicant:** University of Otago

**ERMA Approval Code:** GMD002582 — 2583

**Institution Code:** GMO02/UO036

**Purpose:** Zoocin A structural gene and the zoocin A immunity factor gene of three *Streptococcus equi* subsp. *zooepidemicus* zoocin A producer strains will be mutated in order to prevent expression of Zif and Zoocin A

**Description of Organism:** *Escherichia coli* K12 modified with pFW and pDN488L non-conjugative plasmids; DNA fragments from the *zif/zooA* region of the genome of *Streptococcus equi* subsp. *Zooepidemicus*, and an erythromycin gene from pVA388

*Streptococcus equi* subs. *zooepidemicus* modified with pFW and pDN488L non-conjugative plasmids; erythromycin gene from pVA388

**Decision** Approved with controls / PC1 and PC2

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**Applicant:** University of Auckland

**ERMA Approval Code:** GMD002578

**Institution Code:** GMO02/UA004

**Purpose:** To use the Yeast Two Hybrid System to identify & clone novel post-synaptic proteins for later use in *in vitro* systems and rAAV vectors for use in the development of novel therapies for neurological disorder. Update of GMO00/UA032, GMO01/UA001A, GMO00/UA054

**Description of Organism:** *Saccharomyces cerevisiae* modified by yeast two hybrid vectors and the following human (*Homo sapiens*), rat (*Rattus*

*norvegicus*) and mouse (*Mus musculus*) genes encoding: GAD65 and GAD67, Frequinin, AP180 and related genes of the endocytosis and endocytosis pathways Neurokinin and other members of the tachykinin family. Acidic FGF, basic FGF and other members of the FGF. Family BDNF, NGF, NT3 and NT4/5. Glutamate transporter and other excitatory amino acid transporters TrkA, TrkB and TrkC including related constructs. Proinsulin-furin, insulin, Alpha-galactosidase, CREB, ATF and related family members. Krox 24, Krox 20 and related zinc-finger transcription factors AP1, NF-kappa, SRE and CRE binding transcription factors. Cytokine and interleukin genes, cAkt1, AktE40K, AktK-, Akt3, PTEN, GlurR1-7 GABA vesicular transporter and related vesicular transporter genes, brain expression libraries and genomic libraries

As well as the following genes:

NAMDAR1 (mouse)  
AIF (mouse)  
Neuropeptide Y (human)  
Galanin (human)  
Parkin (human)  
Synphilin (human)  
Synuclein, Synuclein Ala30-Pro, Synuclein Ala53Thr (human)  
VMAT2 (Human and rat)  
GTPCH1 (Human and rat)  
B-amyloid (Human)  
5'-nucleotidase (human)  
Kir 2.1, shaker and other potassium channels (human, mouse, rat and Drosophila)  
And Green Fluorescent Protein

**Decision** Approved with controls / PC1

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**Applicant:** University of Auckland

**ERMA Approval Code:** GMD002579-2581

**Institution Code:** GMO03/UA003

**Purpose:** To develop high efficiency recombinant expression systems in order to produce a sufficient amount of membrane proteins for functional and structural studies

**Description of Organism:** *Escherichia coli* K12 and B strains as modified by human genes (*Homo sapiens*) encoding:

1. Proteins of the aquaporin family
2. Proteins of the amino acid, amine and peptide transporter families
3. Proteins of the monovalent and divalent cation transporter and ion channel families

4. Tight and gap junction proteins
5. Neurotransmitter protein

*Saccharomyces cerevisiae* as modified by human genes

(*Homo sapiens*) encoding:

1. Proteins of the aquaporin family
2. Proteins of the amino acid, amine and peptide transporter families
3. Proteins of the monovalent and divalent cation transporter and ion channel families
4. Tight and gap junction proteins
5. Neurotransmitter protein

*Spodoptera frugiperda* as modified by human genes (*Homo sapiens*) encoding:

1. Proteins of the aquaporin family
2. Proteins of the amino acid, amine and peptide transporter families
3. Proteins of the monovalent and divalent cation transporter and ion channel families
4. Tight and gap junction proteins
5. Neurotransmitter protein

**Decision** Approved with controls / PC1

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**Applicant:** University of Otago

**ERMA Approval Code:** GMD002584

**Institution Code:** GMO02/UO037

**Purpose:** *Escherichia coli* strains used to produce mutated bacteriolytic enzymes. Studying such enzymes will help us develop computer models that can predict enzyme function from a DNA sequence and ultimately, to design enzymes having specific desirable functions

**Description of Organism:** *Escherichia coli* strain K12 modified with pQE expression vectors (pQE-30 to pQE-100) or similar non-conjugative vectors; DNA encoding part or all of wild-type and mutant genes from *Staphylococcus simulans* biovar staphylolyticus encoding lysostaphin, from *Streptococcus equi* subsp. *Zooepidemicus* encoding zocin A and other lytic enzymes, from *Streptococcus equi* subsp. *equi* encoding other lytic enzymes, and from *Streptococcus pneumoniae* encoding other lytic enzymes

**Decision:** Approved with controls / PC1

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## 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 amendments to the controls were made by the Authority on 27 March 2002

**Application Code:** GMF98009 (approval GMF000026)

**Applicant:** AgResearch Limited

**Purpose:** To field test, in Waikato, genetically modified cattle with extra bovine genes, the insertion of the human myelin basic protein gene, and the deletion of the bovine  $\beta$ -lactoglobulin gene. Genes will be expressed in the milk of the cattle

**Original Control:**

- 1.14 Milking of genetically modified cattle shall be performed within the containment facility and the milk shall be transported, in secure containers to prevent spill, to the laboratory (a containment facility registered by MAF in accordance with the MAF Biosecurity Authority Standard 154.03.02 Containment Facilities for Micro organisms) for evaluation. A log of the quantity of milk obtained and its fate shall be maintained and recorded in a register.

**Amended Control:**

- 1.14 Milking of genetically modified cattle shall be performed within the containment facility and the milk shall be transported, in secure containers to prevent spill, to the 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 level 1 (PC1)) for evaluation. A log of the quantity of milk obtained and its fate shall be maintained and recorded in a register.

**New Control:**

- 4.2 No part or product of the transgenic organism shall be ingested by any person at any time.
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The following amendments to the controls were made by the Authority on 8 April 2002

**Application Code: GMF99001**

**Applicant: New Zealand Forest Research Institute**

**Purpose:** To field test, in the Bay of Plenty (Rotorua), over a period of 20 years, *Pinus radiata* plants with genetic modifications to the genes controlling reproductive development. The total duration of this project including a post-trial monitoring phase is 22 years

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**Application Code: GMF99005**

**Applicant: New Zealand Forest Research Institute**

**Purpose:** To field test, in the Bay of Plenty (Rotorua), over a period of 9 years, *Pinus radiata* and *Picea abies* plants genetically engineered for herbicide resistance. The total duration of this project is 11 years

**Original Control:**

2.1 The applicant before field testing of genetically modified trees containing any construct specified in Appendix 1 attached to the decision, shall obtain development approval including approval to maintain genetically modified trees in plant house PC2 containment, under the Hazardous Substances and New Organisms Act 1996. The applicant shall verify to ERMA New Zealand in writing that:

- i) The genetic constructs and genetically modified plant tissue have been developed in accordance with an approval under Section 39(1)(a) of the Act
- ii) The genes, promoters and transformation events are those specified in Appendix 1 to the decision.

**Amended Control:**

2.1 Before field testing of genetically modified trees containing any construct specified in Appendix 1 attached to the decision, the applicant shall obtain development approval including approval to maintain genetically modified trees in a facility approved and operated in accordance with the MAF/ERMA New Zealand Standard 155.04.09 Containment Facilities for New Organisms (including GMOs) of plant species, and Australian/New Zealand Standard AS/NZS 2243.3:1995 Safety in Laboratories: Part 3 (Microbiology), physical containment level 2 (PC2). The applicant shall verify to ERMA New Zealand in writing that:

- i) The genetic constructs and genetically modified plant tissue have been developed in accordance with an approval under Section 39(1)(a) of the Hazardous Substances and New Organisms Act (1996).
- ii) The genes, promoters and transformation events are those specified in Appendix 1 to the decision.

**Original Control:**

2.7 Genetically modified trees shall be transferred from the plant house to the field test site in secure containment, which must include packaging in closed non-crushable boxes.

**Amended Control:**

2.7 Genetically modified trees shall be transferred from the plant house to the field test site in secure containment, which must include packaging in closed non-crushable boxes, and transport in an enclosed vehicle.

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## HAZARDOUS SUBSTANCES

### NOTIFIED APPLICATIONS RECEIVED AND OPEN FOR SUBMISSIONS

**Application Code:** HSR03002

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

**Purpose:** To import RB-2-109, a pest control product containing pyrethroid actives which is used as a domestic use insecticide aerosol spray

**Date Application Received:** 14 February 2003

**Date Publicly Notified:** 24 February 2003

**Date Submissions Close:** 4 April 2003

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**Application Code:** HSR03006

**Applicant:** Rentokil Initial Limited

**Purpose:** To import Pygo, an insecticide for use against flying and crawling insects in domestic and industrial situations by professional pest controllers.

**Date Application Received:** 17 February 2003

**Date Publicly Notified:** 28 February 2003

**Date Submissions Close:** 11 April 2003

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**Application Code:** HSR02061

**Applicant:** Fort Dodge New Zealand Limited

**Purpose:** To import Moxidectin/Praziquantel Equine Gel which is intended for use as a broad-spectrum anthelmintic in horses

**Date Application Received:** 25 February 2003

**Date Publicly Notified:** 4 March 2003

**Date Submissions Close:** 15 April 2003

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**Application Code:** HSR03005

**Applicant:** Fort Dodge New Zealand Limited

**Purpose:** To import CYDECTIN Plus Fluke which is intended for use as a broad-spectrum anthelmintic for use on production animals (sheep)

**Date Application Received:** 27 February 2003

**Date Publicly Notified:** 11 March 2003

**Date Submissions Close:** 23 April 2003

**Application Code:** HSR03001

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

**Purpose:** To import RB-2-110, a pest control product containing pyrethroid actives which is used as an insecticide aerosol spray. It is manufactured in Australia and packed into shipping cartons and will be imported into New Zealand ready for sale

**Date Application Received:** 26 February 2003

**Date Publicly Notified:** 17 March 2003

**Date Submissions Close:** 1 May 2003

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**Application Code:** HSR03010

**Applicant:** Monsanto Australia Limited

**Purpose:** To import and manufacture for release, Roundup PowerMax, for use as a herbicide for the control of weeds in non-selective situations

**Date Application Received:** 4 March 2003

**Date Publicly Notified:** 17 March 2003

**Date Submissions Close:** 1 May 2003

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**Application Code:** HSR03008

**Applicant:** Rainbow and Brown Limited

**Purpose:** To import MSF600 a non-selective systemic herbicide containing 600g/kg metsulfuron-methyl to be used to control gorse and other scrub weeds

**Date Application Received:** 11 March 2003

**Date Publicly Notified:** 25 March 2003

**Date Submissions Close:** 9 May 2003

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**Application Code:** HSR02042

**Applicant:** Bayer New Zealand Limited

**Purpose:** To import for release Advantage Multi, a veterinary medicine for topical application to cats and dogs for control of fleas and gastrointestinal parasites

**Date Application Received:** 20 March 2003

**Date Publicly Notified:** 2 April 2003

**Date Submissions Close:** 16 May 2003

## DECISIONS ON APPLICATIONS

The Environmental Risk Management Authority reached a decision on the following application on 10 March 2003

**Application code:** HSR02007

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

**Purpose:** To import Reckitt Product 1 and RB-2-108 as household insecticides

**Description of Substances:** Reckitt Product 1 and RB-2-108

**Classifications:** Reckitt Product 1 – 2.1.2A, 6.3B, 9.1B, 9.4A, RB-2-108 – 2.1.2A, 6.3A, 9.1A, 9.4A

**Decision:** Approved with Controls

**ERMA Approval Code:** HSR000044 to HSR000045

**Controls:**

| Control Code <sup>5</sup>   | Regulation <sup>6</sup>  | Explanation <sup>7</sup>   |
|---|--|--|
| <b>Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 – Flammable Property Controls</b>              |  |  |
| F1, F14   | Regulations 7, 81  | Test certification requirements for facilities   |
| F2, T7, E8  | Regulation 8;<br>Regulation 10<br>(Classes 6, 8,<br>and 9 controls)  | General public transportation restrictions and requirements  |
| F3  | Regulation 55  | General limits on flammable substances   |
| F4, E7, AH1   | Regulation 56;<br>Regulation 9<br>(Classes 6, 8<br>and 9 controls);<br>Regulations 4 — 6<br>(Personnel<br>Qualifications<br>Regulations) | Approved handler requirements  |
| F5  | Regulations<br>58 — 59   | Requirements regarding hazardous atmosphere zones  |
| F6  | Regulations<br>60 — 70   | Requirements to prevent unintended ignition of flammable aerosols  |
| F11   | Regulation 76  | Segregation of incompatible substances   |
| F12   | Regulations<br>77 — 78   | General requirement for hazardous substance locations for flammable substances   |
| F16   | Regulation 83  | Controls on transit depots   |
| F17   | Regulations<br>84 — 85   | Requirements to control adverse effects of intended ignition of flammable substances, including requirements for protective equipment and clothing |
| <b>Hazardous Substances (Compressed Gases) Regulations</b>  |  |  |
| CG  |  | These regulations will provide controls on aerosol containers. They have yet to be enacted   |
| <b>Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 – Ecotoxic and Toxic Property Controls</b> |  |  |
| T4, E6  | Regulation 7   | Requirements for equipment used to handle hazardous substances   |

<sup>5</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 (website: [www.ermanz.govt.nz/publications/](http://www.ermanz.govt.nz/publications/)) and is also contained in the ERMA New Zealand *User Guide to the Controls Regulations*.

<sup>6</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>7</sup> These explanations are for guidance only. Refer to the cited regulations for the formal specification, and for definitions and exemptions.

|   |  |  |
|---|--|--|
| E3  | Regulation 49  | Controls relating to protection of terrestrial invertebrates eg beneficial insects |
| E5  | Regulations 5(2), 6  | Requirements for keeping records of use  |
| <b>Hazardous Substances (Identification) Regulations 2001</b>       |  |  |
| I1  | Regulations 6, 7, 32 — 35, 36(1) — (7)                                   | General identification requirements  |
| I3, I5  | Regulations 9, 11  | Priority identifiers   |
| I9, I11, I13, I16   | Regulations 18, 20, 22, 25   | Secondary identifiers  |
| I19   | Regulations 29 — 31  | Alternative information in certain cases   |
| I21   | Regulations 37, 39, 47 — 50  | Documentation required in places of work   |
| I23, I25, I28   | Regulations 41, 43, 46   | Specific documentation requirements  |
| I29, EM13   | Regulations 51 — 52;<br>Regulation 42 (Emergency Management Regulations) | Duties of persons in charge of places with respect to signage                      |
| <b>Hazardous Substances (Disposal) Regulations 2001</b>             |  |  |
| D2, D4, D5  | Regulations 6, 8, 9  | Disposal requirements  |
| D6  | Regulation 10  | Disposal requirements for packages   |
| D7  | Regulations 11, 12   | Disposal information requirements  |
| D8  | Regulations 13, 14   | Disposal documentation requirements  |
| <b>Hazardous Substances (Emergency Management) Regulations 2001</b> |  |  |
| EM1, EM4  | Regulations 6, 7, 9 — 11   | Level 1 emergency management information   |
| EM6   | Regulation 8(c)  |  |
| EM7   | Regulation 8(e), 8(f)  |  |
| EM1   | Regulations 6,   | Level 1 emergency management information   |
| 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  |  | Level 3 emergency management requirements – signage                                |

The Environmental Risk Management Authority reached a decision on the following application on 11 March 2003

**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

**Description of Substances:** Taratek GC

**Classifications:** 6.1C, 6.9A, 8.1A, 8.2C, 8.3A, 9.1A, 9.2C, 9.3C

**Decision:** Approved with Controls

**ERMA Approval Code:** HSR000046

**Controls:**

| Control Code <sup>8</sup>   | Regulation <sup>9</sup>                | Explanation <sup>10</sup>  |
|---|--|--|
| <b>Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 – Toxic Property Controls</b>    |  |  |
| T1  | Regulations 11 – 27                    | Limiting exposure to toxic substances                                    |
| T2  | Regulations 29, 30                     | Controlling exposure in places of work                                   |
| T3, E5  | Regulations 5(1), 5(2), 6              | Requirements for keeping records of use                                  |
| T4, E6  | Regulation 7                           | Requirements for equipment used to handle Taratek GC                     |
| T5  | Regulation 8                           | Recommended requirements for protective clothing and equipment           |
| T6, E7  | Regulation 9                           | Approved Handler requirements  |
| T7, E8  | Regulation 10                          | Restrictions on the carriage of Taratek GC on passenger service vehicles |
| <b>Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 – Ecotoxic Property Controls</b> |  |  |
| E1  | Regulations 32 – 45                    | Limiting exposure to ecotoxic substances                                 |
| <b>Hazardous Substances (Identification) Regulations 2001</b>   |  |  |
| I1  | Regulations 6, 7, 32 – 35, 36(1) – (7) | General identification requirements                                      |
| I2  | Regulation 8                           | Priority identifiers for corrosive substances                            |
| I3, I8  | Regulations 9, 14                      | Priority identifiers for Taratek GC                                      |
| I9  | Regulation 18                          | Secondary identifiers for all hazardous substances                       |
| I10   | Regulation 19                          | Secondary identifiers for corrosive substances                           |
| I11, I16  | Regulations 20, 25                     | Secondary identifiers for Taratek GC                                     |
| I17   | Regulation 26                          | Use of Generic Names   |
| I18   | Regulation 27                          | Use of Concentration Ranges  |

<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 (website: [www.ermanz.govt.nz/publications/](http://www.ermanz.govt.nz/publications/)) 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.

|   |   |   |
|---|---|---|
| I19   | Regulations<br>29 — 31                  | <b>Alternative information in certain cases</b>                             |
| I20   | Regulation 36(8)                        | <b>Durability of information for Taratek GC</b>                             |
| I21   | Regulations<br>37 — 39, 47 — 50         | <b>Documentation required in places of work</b>                             |
| I22   | Regulation 40                           | <b>Specific documentation requirements for corrosive substances</b>         |
| I23, I28  | Regulations 41, 46                      | <b>Specific documentation requirements for Taratek GC</b>                   |
| I30   | Regulation 53                           | <b>Advertising Taratek GC</b>   |
| <b>Hazardous Substances (Packaging) Regulations 2001</b>                |   |   |
| P1  | Regulations<br>5, 6, 7 (1), 8           | <b>General packaging requirements</b>                                       |
| P3, P13, P14,<br>P15, PG3   | Regulations<br>9, 19, 20, 21            | <b>Packaging requirements for Taratek GC</b>                                |
| <b>Hazardous Substances (Disposal) Regulations 2001</b>                 |   |   |
| D4, D5  | Regulations 8, 9                        | <b>Disposal requirements for Taratek GC</b>                                 |
| 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, EM6,<br>EM7  | Regulations 6, 7,<br>8(e), 8(f), 9 — 11 | <b>Level 1 emergency management information: Recommended requirements</b>   |
| EM2   | Regulation 8(a)                         | <b>Information requirements for corrosive substances</b>                    |
| EM8   | Regulations<br>12 — 16, 18 — 20         | <b>Level 2 emergency management information requirements</b>                |
| EM11  | Regulations<br>25 — 34                  | <b>Level 3 emergency management requirements – emergency response plans</b> |
| EM12  | Regulations<br>35 — 41                  | <b>Level 3 emergency management requirements – secondary containment</b>    |
| EM13  | Regulation 42                           | <b>Level 3 emergency management requirements – signage</b>                  |
| <b>Hazardous Substances (Personnel Qualifications) Regulations 2001</b> |   |   |
| AH1   | Regulations 4 — 6                       | <b>Approved Handler requirements</b>  |
| <b>Hazardous Substances (Tracking) Regulations 2001</b>                 |   |   |
| TR1   | Regulations<br>4(1), 5, 6               | <b>General tracking requirements</b>  |

The Environmental Risk Management Authority reached a decision on the following application on 20 March 2003

**Application Code:** HSR02040

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

**Purpose:** To import RB-2-105 as a domestic use insecticide

**Description of Substances:** RB-2-105

**Classifications:** 9.1A, 9.4B

**Decision:** Approved with Controls

**ERMA Approval Code:** HSR000047

**Controls:**

| Control Code <sup>11</sup>  | Regulation <sup>12</sup>               | Explanation <sup>13</sup>   |
|---|--|---|
| <b>Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 – Ecotoxic Property Controls</b> |  |   |
| E1  | Regulations 32 — 45                    | <b>Limiting exposure to ecotoxic substances</b>   |
| E2  | Regulations 46 — 48                    | <b>Restrictions on use within application area</b>  |
| E3  | Regulation 49                          | <b>Controls relating to protection of terrestrial invertebrates eg beneficial insects</b> |
| E5  | Regulations 5(2), 6                    | <b>Requirements for keeping records of use</b>  |
| E6  | Regulation 7                           | <b>Requirements for equipment used to handle substances</b>                               |
| E7  | Regulation 9                           | <b>Approved Handler requirements</b>  |
| E8  | Regulation 10                          | <b>Restrictions on the carriage of hazardous substances on passenger service vehicles</b> |
| <b>Hazardous Substances (Identification) Regulations 2001</b>   |  |   |
| I1  | Regulations 6, 7, 32 — 35, 36(1) — (7) | <b>General identification requirements</b>  |
| I3  | Regulation 9                           | <b>Priority identifiers for ecotoxic substances</b>                                       |
| I9  | Regulation 18                          | <b>Secondary identifiers for all hazardous substances</b>                                 |
| I11   | Regulation 20                          | <b>Secondary identifiers for ecotoxic substances</b>                                      |
| I19   | Regulations 29 — 31                    | <b>Alternative information in certain cases</b>   |
| I21   | Regulations 37 — 39, 47 — 50           | <b>Documentation required in places of work</b>   |
| I23   | Regulation 41                          | <b>Specific documentation requirements for ecotoxic substances</b>                        |
| I29   | Regulations 51 — 52                    | <b>Duties of persons in charge of places with respect to signage</b>                      |

11 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 (website: [www.ermanz.govt.nz/publications/](http://www.ermanz.govt.nz/publications/)) and is also contained in the ERMA New Zealand *User Guide to the Controls Regulations*.

12 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.

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

| Hazardous Substances (Packaging) Regulations 2001               |                              |  |
|---|------------------------------|--|
| P1  | Regulations 5, 6, 7 (1), 8   | General packaging requirements   |
| P3, P15   | Regulation 9, 21             | Packaging  |
| 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                |                              |  |
| D5  | Regulations 9                | Disposal requirements for 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   |
| EM13  | Regulation 42                | Level 3 emergency management requirements – signage  |
| Hazardous Substances (Personnel Qualification) Regulations 2001 |                              |  |
| AH1   | Regulations 4 — 6            | Approved Handler requirements (including test certificate and qualification requirements)  |

The Environmental Risk Management Authority reached a decision on the following application on 24 March 2003

**Application Code:** HSR02052

**Applicant:** SR Brands 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 a household insecticide aerosol strictly for indoor domestic/household use

**Description of Substances:** Signature Range Fly and Insect Killer Multi Purpose  
Signature Range Natural Pyrethrum Fly and Insect Killer  
Signature Range Crawling Insect Killer Surface Spray

**Classifications:** Signature Range Fly and Insect Killer Multi Purpose – 2.1.2A, 6.3B, 9.1A, 9.4A  
Signature Range Natural Pyrethrum Fly and Insect Killer – 2.1.2A, 6.3B, 9.1A, 9.4B  
Signature Range Crawling Insect Killer Surface Spray – 2.1.2A, 6.1E, 6.3B, 9.1A, 9.4A

**Decision:** Approved with Controls

**ERMA Approval Code:** HSR000048 — 00050

## Controls:

| Control Code <sup>14</sup>  | Regulation <sup>15</sup>               | Explanation <sup>16</sup>   |
|---|--|---|
| <b>Hazardous Substances (Classes 1 to 5 Control Regulations) Regulations 2001 – Flammable Property Controls</b> |  |   |
| F1  | Regulation 7                           | General test certification requirements   |
| F2  | Regulation 8                           | General public transportation restrictions and requirements for all class 1 to 5 substances   |
| F3  | Regulation 55                          | General limits on flammable substances  |
| F4  | Regulation 56                          | Certain flammable substances to be under the control of an approved handler   |
| F5  | Regulations 58 — 59                    | Requirements regarding hazardous atmosphere zones for flammable aerosols (2.1.2)  |
| F6  | Regulations 60 — 70                    | Requirements to prevent unintended ignition of aerosols (2.1.2)   |
| F11   | Regulation 77, 78                      | Segregation of incompatible substances  |
| F12   | Regulations                            | General requirement for hazardous substance locations for flammable substances  |
| F14   | Regulation 81                          | Test certification requirements for facilities where class 2.1.2 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  |
| <b>Hazardous Substances (Compressed Gases) Regulations</b>  |  |   |
| CG  |  | These regulations will provide controls on aerosol containers. They have yet to be enacted. It is recommended that, until such time as the HSNO Compressed Gas Regulations come into force, Regulations 114(a) to (c) of the Dangerous Goods (Class 2-Gases) Regulations 1980 relating to aerosol containers should be complied with. |
| <b>Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 – Toxic Property Controls</b>            |  |   |
| T4, E6  | Regulation 7                           | Controls relating to protection of terrestrial invertebrates e.g. beneficial insects  |
| T8  | Regulation 28                          | Requirements for keeping records of use   |
| <b>Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 – Ecotoxic Property Controls</b>         |  |   |
| E3  | Regulation 49                          | Controls relating to protection of terrestrial invertebrates eg beneficial insects  |
| E5  | Regulations 5(2), 6                    | Requirements for keeping records of use   |
| <b>Hazardous Substances (Identification) Regulations 2001</b>   |  |   |
| I1  | Regulations 6, 7, 32 — 35, 36(1) — (7) | General identification requirements   |
| I3  | Regulation 9                           | Priority identifiers for ecotoxic substances  |
| I5  | Regulation 11                          | Priority identifiers for flammable 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 (website: [www.ermanz.govt.nz/publications/](http://www.ermanz.govt.nz/publications/)) 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.

|  |                                 |   |
|--|---------------------------------|---|
| 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  |
| I19  | Regulations<br>29 — 31          | Alternative information in certain cases  |
| I21  | Regulations<br>37 — 39, 47 — 50 | Documentation required in places of work  |
| I23  | Regulation 41                   | Specific documentation requirements for ecotoxic substances                               |
| I25  | Regulation 43                   | Specific documentation requirements for flammable substances                              |
| I28  | Regulation 46                   | Specific documentation requirements for toxic substances                                  |
| I29  | Regulations<br>51 — 52          | Duties of persons in charge of places with respect to signage                             |
| I30  | Regulation 53                   | Advertising corrosive and toxic substances  |
| <b>Hazardous Substances (Disposal) Regulations 2001</b>                |                                 |   |
| D2   | Regulation 6                    | Disposal requirements   |
| D6   | Regulation 10                   | Disposal requirements for packages  |
| D7   | Regulations 11, 12              | Information requirements  |
| D8   | Regulations 13, 14              | Documentation requirements  |
| <b>Hazardous Substances (Emergency Management) Regulations 2001</b>    |                                 |   |
| EM1  | Regulations 6, 7,<br>9 — 11     | Level 1 emergency management information: General requirements                            |
| EM4  | Regulation 8(c)                 | Additional 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<br>12 — 16, 18 — 20 | Level 2 emergency management information requirements                                     |
| EM9  | Regulation 17                   | Extra content for flammable substances  |
| EM10   | Regulations<br>21 — 24          | Fire extinguishers  |
| EM11   | Regulations<br>25 — 34          | Level 3 emergency management requirements – emergency response plans                      |
| EM13   | Regulation 42                   | Level 3 emergency management requirements – signage                                       |
| <b>Hazardous Substances (Personnel Qualification) Regulations 2001</b> |                                 |   |
| AH1  | Regulation 4 — 6                | Approved Handler requirements (including test certificate and qualification requirements) |

The Environmental Risk Management Authority reached a decision on the following application on 5 March 2003

**Application Code: HSC02014**

**Applicant: Bayer New Zealand Limited**

**Purpose:** To import into containment the substance Larvin SC to conduct field trials to assess the efficacy on Springtails in forage brassicas and Argentine Stem Weevil and Black Beetle in grasses

**Description of Substances:** Larvin SC

**Classifications:** Signature Range Fly and Insect Killer Multi Purpose – 2.1.2A, 6.3B, 9.1A, 9.4A  
Signature Range Natural Pyrethrum Fly and Insect Killer – 2.1.2A, 6.3B, 9.1A, 9.4B  
Signature Range Crawling Insect Killer  
Surface Spray – 2.1.2A, 6.1E, 6.3B, 9.1A, 9.4A

**Decision:** Approved with Controls

**ERMA Approval Code: HSC000036**

**Controls:**

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

- 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 substance shall be applied to the seeds in a batch treater in an enclosed building at Wrightson's Research Farm at Lincoln, and all substance shall only be taken to the field in the form of treated seed. Access to the treatment facility shall be limited to personnel authorised by the Trial Director. (Wrightson's Research Farm is an approved seed quarantine facility with adequate security being part of that approval).
- 1.3 The GROSAFE Code of Practice for the Management of Agrichemicals, NZS8409: 1999 shall be followed.
- 1.4 The trial plots<sup>17</sup> shall be chosen so as to minimise the risk of any of the substance entering any surface water system or groundwater system.
- 1.5 The trial plot boundaries shall be clearly marked and distinctly visible from outside the trial plot throughout the life of the trial. The existence of the trial shall be clearly marked to avoid accidental/incidental access or grazing.

- 1.6 All trial plots shall be at least 50 metres from buildings where people live or work (commercial and research glasshouses, and buildings on research stations where the trial is being conducted being exceptions).
- 1.7 Field trial plots shall be sprayed with a desiccant herbicide at the completion of the trial. Pot trials shall be allowed to dry off and shall be disposed of in a compost system or spread over ground that will be cultivated within the containment facility. (Refer also 6.6).
- 1.8 Access to the trial site(s)<sup>18</sup> shall be by permission of the Trial Director<sup>19</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.
- 1.9 The substance shall be securely packed in containers being identified in accordance with the draft label, submitted as Appendix 5 of the application.
- 1.10 The transportation of the substance shall comply with The Land Transport Rule: Dangerous Goods 1999.
- 1.11 All surplus substance shall be held in the original container and stored in Bayer New Zealand Ltd's laboratory until the substance is approved for release by ERMA New Zealand and registered for use by the New Zealand Food Safety Authority, or, if the substance is not so approved and registered, it shall be disposed of via a commercial incinerator designed for this purpose, and contracted outside the company.

**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. (See also control 1.8)

**3. To exclude unauthorised people**

- 3.1 The seed treatment facility is on Wrightson's Research Farm and public access is limited. Visitors shall report to reception and they shall be escorted by staff while on the property.
- 3.2 Access to each trial site in the first instance shall be by access to the property through the main entrance. The final entrance allowing access to the trial site shall be clearly marked by a sign indicating such, and allowing no access without permission of the Trial Director or property owner/manager. (See also control 1.8)

<sup>17</sup> Trial plot – a defined area within the trial facility where the seed will be sown.

<sup>18</sup> Trial site – the commercial or private property where the trial is to be conducted.

<sup>19</sup> Trial Director – the person with overall control of the trial, who is directly responsible for the management of the trial and compliance with the controls.

#### 4. To prevent unintended release of the substance by experimenters working with the substance

- 4.1 All seed shall be treated at Wrightson's Research Farm and application of the substance to the seed shall be by suitably qualified staff. Equipment used for treating the seed shall be triple-rinsed after use and the rinsate disposed of by spreading over a designated non-cropping, non-grazed area (excluding areas where bees may be foraging) on Wrightson's Research Farm. Any empty substance containers shall be triple-rinsed and then disposed of in an approved landfill.
- 4.2. Treated seed will be weighed out into plot size amounts, bagged and labelled as treated seed before being transported to the trial site.
- 4.3 Personnel applying the substance to the seed shall wear appropriate protective clothing.
- 4.4 Personnel handling the dry treated seed shall wear rubber gloves.

#### 5. To control the effects of any accidental release of the substance

- 5.1 Any spillage of the substance shall be contained, prevented from entering waterways, and absorbed with earth, sand, clay or other absorbent material. The material shall then be placed into sealed, labelled drums ready for safe disposal. Any spillage of the treated seed shall be contained and collected.
- 5.2 To minimise the effects of any accidental release of the substance, the container label 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 substance as per section 5.9.1 of Code of Practice for the Management of Agrichemicals NZS8409: 1999.
- 6.2 Occupational Safety and Health, Head Office [Attn HSNO Project Manager (OSH) or equivalent position] and ERMA New Zealand shall be informed in writing of the locations, 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 on which approval is given. The approval will extend for a further season provided ERMA New Zealand is notified in writing of that request within one year from the date on which the approval is given.
  - 6.6 At the end of the trial, the plant material shall be destroyed by a desiccant herbicide followed by cultivation of the soil. The trial plot shall not be used for grazing for at least three months after the treated seed has been sown.
- #### 7. Qualifications required of the person responsible for implementing the controls
- 7.1 Technically qualified personnel shall carry out the studies using appropriate management procedures.
  - 7.2 Trial personnel shall have GROWSAFE accreditation.

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The Environmental Risk Management Authority reached a decision on the following application on 20 March 2003

**Application Code:** HSC02016

**Applicant:** Margarita International

**Purpose:** To import into containment DICARZOL 500 to conduct field trials to assess the efficacy, crop safety and residue profile in controlling target pest species in certain crops

**Description of Substances:** Dicarzol 500

**Decision:** Approved with Controls

**ERMA Approval Code:** HSC000037

**Controls:**

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

- 1.1. The amount of the substance to be imported into New Zealand for these trials shall be no more than 10 kilograms.
- 1.2. The substance 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 plots shall be chosen so as to minimise the risk of any substance entering any surface water system or groundwater system.
  - 1.4 All trial plots<sup>20</sup> shall be at least 50 metres from buildings where people live or work (commercial and research glasshouses, and auxiliary and service buildings on research stations where the trial is being conducted being exceptions).
  - 1.5 Sprayed produce shall be disposed of by either ploughing in, mulching or at an appropriate authorised landfill.
  - 1.6 No sprayed produce shall be consumed by people or animals or offered for sale.
  - 1.7 Access to the trial site(s)<sup>21</sup> shall be by permission of the Study Director<sup>22</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 unauthorized access is not allowed, that the site is subject to a trial, and that the crops should not be removed or disturbed.
  - 1.8 The substance shall be securely packed in container(s) identified in accordance with the Hazardous Substances (Identification) Regulations 2001.
  - 1.9 The transportation of the substance shall comply with the Land Transport Rule 45001: Dangerous Goods 1999 for land transport, the Civil Aviation Act 1990 (Rule, Part 92) for air transport and the Maritime Transport Act 1994 (Maritime Rule 24A) for sea transport.
  - 1.10 Spraying and storage shall be in accordance with the Code of Practice for the Management of Agrichemicals NZS8409: 1999.
  - 1.11 Any portion of the substance (undiluted) surplus to requirements shall be returned to the Study Director, who will hold it in locked storage, pending appropriate disposal or return to Margarita International.
  - 1.12 Any surplus spray mix shall be disposed of at the trial site(s) by being further diluted and sprayed over a marked and designated non-crop and non-grazed waste area at the site. The equipment used shall be rinsed after use with an appropriate detergent or decontaminant, and rinsate similarly disposed of at the trial site by being sprayed over a marked and designated non-crop and non-grazed waste area at the site.
  - 1.13 The trial plot boundaries shall be clearly marked and distinctly visible from outside the trial plot 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 plots for the duration of the trial period. (See also control 1.7.)
  - 3. To exclude unauthorised people**
    - 3.1 Access to each trial site in the first instance shall be by access to the privately owned property through the main entrance. The trial plots shall be clearly identified by a sign, and no access shall be allowed without permission of the Trial Director or property owner/manager. (See also control 1.7.)
    - 3.2 The number of entrances shall be the minimum practical in the circumstances in order to control unauthorised access.
  - 4. To prevent unintended release of the substance by experimenters working with the substance**
    - 4.1 The amount of the substance 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 substance 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 substance**
    - 5.1 Any accidental spillage of the unmixed substance or spray mix shall be contained using clay or other suitable absorbent material. The contaminated absorbent material should be scooped up into a suitable container and sealed for disposal at an approved landfill.

20 Trial plot – a defined area within the trial facility where the seed will be sown.

21 Trial site – the commercial or private property where the trial is to be conducted.

22 Study Director – the person with overall control of the trial, who is directly responsible for the management of the trial and compliance with the controls.

- 5.2 To minimise the effects of any accidental release of the substance, the container label 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 applicant shall have a Management Plan, detailing how the trials are to be conducted in accordance with the Controls, in place prior to the commencement of the trials. The trials shall be conducted according to the Management Plan, which will be available for inspection if requested.
- 6.2 The Study Director shall keep track of all use of the substance as per the Code of Practice for the Management of Agrichemicals NZS8409: 1999.
- 6.3 Occupational Safety and Health, Head Office [Attn: HSNO Project Manager (OSH) or equivalent position] and ERMA New Zealand shall be informed in writing prior to the commencement of the field trial of the locations and start date, and of the completion of the field trials.
- 6.4 If for any reason a breach of containment occurs, the Study Director shall notify OSH and ERMA New Zealand within 24 hours of the breach being detected.
- 6.5 The Authority, or its authorised agent or properly authorised enforcement officers, may inspect the facilities and trial sites at any reasonable time.
- 6.6 The applicant shall ensure that substance and residue levels fall below the threshold for any hazardous effect before permitting the plots to be re-used for any other purpose.
- 6.7 This approval is for 3 years from the date at which approval is given.
- ## 7. Qualifications required of the person responsible for implementing the controls
- 7.1 The personnel applying the substance to the crops shall be Growsafe certified.

## DELEGATED AUTHORITY

There have been no delegated decisions decided in this period.

## TEST CERTIFIERS

The Chief Executive of the Environmental Risk Management Authority, acting under delegated power from the Authority, reached a decision on the following applications on 20 February 2003

**Applicant:** John Cameron

**Address:** AgriQuality New Zealand  
P O Box 302  
Stratford

**Decision:** Approved with Controls

**ERMA Approval Code:** TST000013

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

**Applicant:** Anthony Harris

**Address:** AgriQuality New Zealand  
Private Bag 9007  
Hastings

**Decision:** Approved with Controls

**ERMA Approval Code:** TST000014

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

**Applicant:** Russell Hollinshead

**Address:** AgriQuality New Zealand  
P O Box 277  
Te Kuiti

**Decision:** Approved with Controls

**ERMA Approval Code:** TST000015

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

**Applicant: David Wallace**

**Address:** AgriQuality New Zealand  
P O Box 4127  
Mt Maunganui

**Decision:** Approved with Controls

**ERMA Approval Code: TST000016**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Stephen Maunder**

**Address:** AgriQuality New Zealand  
P O Box 366  
Taumarunui

**Decision:** Approved with Controls

**ERMA Approval Code: TST000017**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Anthony Clifford**

**Address:** AgriQuality New Zealand  
P O Box 343  
Levin

**Decision:** Approved with Controls

**ERMA Approval Code: TST000018**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Richard Cash**

**Address:** AgriQuality New Zealand  
P O Box 82  
Wanganui

**Decision:** Approved with Controls

**ERMA Approval Code: TST000019**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Gordon (Frank) Bradshaw**

**Address:** AgriQuality New Zealand  
P O Box 31  
Paeroa

**Decision:** Approved with Controls

**ERMA Approval Code: TST000020**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: John (Rick) Billing**

**Address:** AgriQuality New Zealand  
Private Bag 9003  
Whangarei

**Decision:** Approved with Controls

**ERMA Approval Code: TST000021**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Peter Brunsten**

**Address:** AgriQuality New Zealand  
P O Box 543  
Blenheim

**Decision:** Approved with Controls

**ERMA Approval Code: TST000022**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

**Applicant: Erwin Cannon**

**Address:** AgriQuality New Zealand  
P O Box 644  
Invercargill

**Decision:** Approved with Controls

**ERMA Approval Code: TST000023**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Gerard Rogatski**

**Address:** AgriQuality New Zealand  
P O Box 276  
Alexandra

**Decision:** Approved with Controls

**ERMA Approval Code: TST000024**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Roger Mole**

**Address:** AgriQuality New Zealand  
P O Box 96  
Oamaru

**Decision:** Approved with Controls

**ERMA Approval Code: TST000025**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Peter Melhopt**

**Address:** AgriQuality New Zealand  
Marine Parade  
Timaru

**Decision:** Approved with Controls

**ERMA Approval Code: TST000026**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Lindsay Bowring**

**Address:** AgriQuality New Zealand  
P O Box 11  
Masterton

**Decision:** Approved with Controls

**ERMA Approval Code: TST000027**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Robert Smith**

**Address:** AgriQuality New Zealand  
P O Box 50035  
Mosgiel

**Decision:** Approved with Controls

**ERMA Approval Code: TST000028**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons

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**Applicant: Christopher Byrne**

**Address:** AgriQuality New Zealand  
54 Tainui Street  
Greymouth

**Decision:** Approved with Controls

**ERMA Approval Code: TST000029**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons
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**Applicant: David Harman**

**Address:** AgriQuality New Zealand  
P O Box 48  
Nelson

**Decision:** Approved with Controls

**ERMA Approval Code: TST000030**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons
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**Applicant: Neville Ranger**

**Address:** AgriQuality New Zealand  
P O Box 8  
Westport

**Decision:** Approved with Controls

**ERMA Approval Code: TST000031**

Requirements for which a test certificate may be issued, and limitations

**Approved Handlers in control of:**

- Handlers in control of the storage, laying, transporting and disposal of potassium cyanide, sodium cyanide, 1080, phosphorus and DRC 1339 as vertebrate poisons
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The Chief Executive of the Environmental Risk Management Authority, acting under delegated power from the Authority, reached a decision on the following application on 25 February 2003

**Applicant: Robert Storrie**

**Address:** 55 Palmerston Street  
Greymouth

**Decision:** Approved with Controls

**ERMA Approval Code: TST000012**

Requirements for which a test certificate may be issued, and limitations

**Facilities, locations etc:**

- Containers securing class 1 substances
- Locations where class 1 substances are present

**Approved Handlers in control of:**

- Handlers in control of shot-firing (surface and underground), construction blasting and blasting for land work
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**PUBLICATIONS UPDATE**

Protocol: Interpretations and Explanations of Key Concepts (updated Mar 2003)

Protocol: Decision Paths (updated Jul 2002)

Information Sheet No 9 – Generic Issues Programme (withdrawn)

Policy on Māori Membership of Institutional Biological Safety Committees (IBSCs) (Oct 2002)

Policy on Requirement for consultation with the Māori Community on Rapid Assessment Applications (Oct 2002)