

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. The Bulletin can also be ordered by electronic subscription through bulletin@ermanz.govt.nz.

The applications in the Register are assigned codes. Once an application is received by ERMA New Zealand, a unique application code (3 letters and 5 digits) is allocated to the applications. An application can include more than one organism or substance. When a decision has been made a unique 6 digit approval code is assigned to each organism or substance approved. Organisms or substances that are declined are not allocated approval codes.

NEW ORGANISMS

NOTIFIED APPLICATIONS RECEIVED AND OPEN FOR SUBMISSIONS

The applications in the Bulletin are for reference only. Our public notification process includes alerts in four main daily newspapers with the full information and submission forms available on our website.

To ensure that you are advised directly about applications open for public submission contact us at info@ermanz.govt.nz to be added to our interested party list. You will need to nominate the types of applications that you are interested in.

There are currently no notified applications open for submission.

NON-NOTIFIED APPLICATIONS RECEIVED

Applicant: Horticulture and Food Research Institute (HortResearch)

Application Code: NOC04002

Purpose: Importation of the Red Banded Mango Caterpillar *Deanolis sublimbalis* (a pest of mangoes in Australia and South East Asia) to develop a synthetic pheromone for use as a monitoring tool in Australia and Papua New Guinea

Date Formally Received: 08 March 2004

Applicant: New Zealand Iris Society (Inc)

Application Code: S2604009

Purpose: The purpose of this application is to have *Iris fulva* declared as already present in New Zealand, therefore classify as not a new organism under section 26 HSNO Act

Date Formally Received: 08 March 2004

Applicant: Genesis Research and Development Corporation Limited

Application Code: GMD04026

Purpose: To develop in containment mammalian cells or mice expressing recombinant viral vectors containing mammalian DNA fragments from immune cells, in order to identify the factors that regulate immune cell development

Date Formally Received: 26 March 2004

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

ERMA NEW ZEALAND

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DECISIONS ON APPLICATIONS

Applicant: AgResearch Limited

Application Code: NOC03001

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

Formally Received: 24 March 2003

Decision Notified: 04 March 2004

Description of Organisms: *Orgyia anartoides* single nucleopolyhedrovirus (OranSNPV)

Decision: Approved with Controls

ERMA Approval Code: NOC002281

Controls:

In order to satisfactorily address the matters detailed in the Third Schedule Part II: Containment controls for new organisms excluding genetically modified organisms¹ of the Act, and other matters in order to give effect to the purpose of the Act (section 45(2)), the approved organism is subject to the following controls:

1. To limit the likelihood of any accidental release of any organism or any viable genetic material²:

- 1.1 The approved organism shall be imported into, and maintained within, a containment facility which complies with these controls.
- 1.2 The construction, operation, and management of the containment facility shall be in accordance with the:
 - a) Ministry of Agriculture and Forestry (MAF)/ERMA New Zealand Standard 154.03.02. Containment Facilities for Micro organisms.
 - b) Australian New Zealand Standard AS/NZS 2243:3 2002 Safety in Laboratories: Part 3: (Microbiological aspects and containment facilities).
 - c) Physical Containment Level 2 (PC2) requirements of the above Standards.
- 1.3 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.

Additional controls:

- 1.4 No adult flight stages of insects shall be used in the host specificity testing.
 - 1.5 Larvae and feeding material for host specificity testing must be kept in sealed containers from which the larvae can not escape.
 - 1.6 All insects, plants and experimental material that has come into contact with the virus must be decontaminated (eg autoclaved) within the containment facility prior to disposal.
 - 1.7 At all times while any of the species of insects is being tested in the containment facility no organisms, other than those directly connected with the testing of that species, are to be in the same part of the containment facility.
 - 1.8 At all times while host-testing of the approved organism is being conducted in the containment facility the windows shall be closed.
- #### **2. To exclude unauthorised people from the facility:**
- 2.1 The identification of entrances, numbers of and access to entrances, and the security requirements for the entrances and the facility shall be in compliance with the standards listed in Control 1.2.
- #### **3. To control the effects of any accidental release or escape of an organism:**
- 3.1 Construction and operation of the containment facility shall comply with the requirements of the standards listed in Control 1.2 relating to the control of the effects of any accidental release or escape of an organism.
 - 3.2 If for any reason a breach of containment occurs the facility Supervisor³, MAF Biosecurity Authority and ERMA New Zealand shall promptly be notified as soon as is practicable after the event is noticed.
 - 3.3 In the event of any breach of containment of the organism, the contingency plan for the attempted retrieval or destruction of any viable material of the organism that has 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 1.2.

¹ Bold headings refer to matters to be addressed by containment controls for new organisms excluding genetically modified organisms, specified in the Third Schedule (Part II) of the HSNO Act 1996.

² 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.

³ An inspector appointed under the Biosecurity Act.

4. Inspection and monitoring requirements for containment facilities:

- 4.1 The inspection and monitoring requirements for containment facilities shall be in compliance with the Standards listed in Control 1.2.
- 4.2 The Authority or its authorised agent or properly authorised enforcement officers, may inspect the facility at any reasonable time.
- 4.3 The containment manual shall be updated, as necessary, to address the implementation of the controls imposed by this approval, in accordance with Ministry of Agriculture and Forestry (MAF)/ERMA New Zealand Standard 154.03.02 'Containment Facilities for Micro organisms'.

5. Qualifications required of the persons responsible for implementing those controls:

- 5.1 The training of personnel working in the facility shall be in compliance with the standards listed in Control 1.2.

6. Additional controls:

- 6.1 Reports on the outcomes of the host specificity tests are to be provided to ERMA New Zealand and to Te Kawerau a Maki and Ngāi Tahu upon conclusion of the insect testing regime and if an application is made in the future for general release of the virus.

Applicant: Lyndale Nurseries

Application Code: S2603010

Purpose: Determination under section 26 that *Calibrachoa hybrida* (H J W Wijsman, 1988), (family Solanaceae), is not a new organism

Formally Received: 12 January 2004

Decision Notified: 16 March 2004

Description of Organisms: *Calibrachoa hybrida* (H J W Wijsman, 1988), (family Solanaceae).

Decision: Not a new organism under section 26 of the HSNO Act

DELEGATED AUTHORITY

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

Applicant: Trees and Technology Limited

Application Code: GMD04031

Purpose: Improvement of selected, high-value strains of *Eucalyptus* bred for plantation forestry, to better meet the requirements of foresters and pulp mills in regions overseas where *Eucalyptus* is a primary source of fibre
Update of GMD03132

Formally Received: 12 February 2004

Decision Notified: 01 March 2004

Description of Organisms:

Host Organism	As modified by
1 <i>Agrobacterium tumefaciens</i> non-pathogenic strains (Smith and Townsend 1907) Conn 1942 (GMD04031)	Standard cloning and binary plasmid vectors containing open reading frames derived from <i>Eucalyptus</i> species, <i>Pinus</i> species, <i>Populus</i> species, <i>Liquidambar styraciflua</i> (sweetgum), <i>Escherichia coli</i> , <i>Arabidopsis thaliana</i> , <i>Bacillus amyloliquefaciens</i> (as a source for <i>barnase</i> and <i>barstar</i> genes only) and <i>Agrobacterium tumefaciens</i> (<i>nos</i> promoter and terminator sequence only) encoding either proteins or non-translated RNA sequences which are designed to: 1. affect the biochemical composition of the wood and/or the wood anatomy; 2. alter the tree growth rate or habit; 3. confer greater tolerance to cold in plants; 4. enhance in vitro morphogenic capacity in plants; 5. reduce or eliminate gametic viability in plants.
2 <i>Escherichia coli</i> strain K12 or B derivatives (Migula 1895) Castellani and Chambers 1919 (GMD04031)	
3 <i>Eucalyptus</i> species (T'Heritier (1778) including hybrids, in vitro cultures or whole plants. (GMD04031)	
4 <i>Nicotiana tabacum</i> L. in vitro cultures or whole plants (GMD04031)	

Decision: Approved with Controls

ERMA Approval Code: GMD003004–7

Controls:

In order to provide for the matters detailed in Part 1 of the Third Schedule of the HSNO Act⁴, Containment Controls for Importation, Development and Field Testing of Genetically Modified Organisms, the approved organisms are subject to the following controls:

- 1. To limit the likelihood of any accidental release of any organism or any viable genetic material⁵.**
 - 1.1 The approved organisms 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 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 (below), and controls imposed by the Authority (as follows):
 - 1.4 DNA manipulations and cloning using *Escherichia coli* and *Agrobacterium tumefaciens* and in vitro plant cultures:
 - a) The construction and operation of the containment facility shall be in accordance with the MAF/ERMA New Zealand Standard 154.03.02⁶: Containment Facilities for Micro organisms, and the Australian New Zealand standard AS/NZS 2243.3:20023 Safety in Laboratories: Part 3: Microbiological Aspects and Containment Facilities at Laboratory for category 1 host organisms with category A genetic modifications shall be contained in a minimum of PC1 containment.
 - 1.5 Maintenance of whole plants in plant house (greenhouse):
 - a) The construction and operation of the containment facility shall be in accordance with the MAF/ERMA New Zealand Standard 154.04.09⁶: Containment Facilities for Micro organisms and Australian New Zealand standard AS/NZS 2243.3:2002 Safety in Laboratories: Part 3:

Microbiological Aspects and Containment Facilities at Laboratory for category 2 host organisms with category B genetic modifications contained in a minimum of PC1 containment.

Additional controls for PC2 whole plant laboratory work:

- 1.6 Where whole plants grown in the PC2 plant house are allowed to develop reproductive structures, such structures will be bagged to contain the pollen and subsequent seed.
- 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 controls 1.4 and 1.5 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 controls 1.4 and 1.5 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 controls 1.4 and 1.5 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 controls 1.4 and 1.5 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, 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).

4 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.

5 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.

6 Or any updated Standard endorsed by ERMA New Zealand or MAF Biosecurity Authority.

5.3 In the event of any breach of containment of the organism, the contingency plan for the attempted 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 controls 1.4 and 1.5.

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 controls 1.4 and 1.5 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 controls 1.4 and 1.5.

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 controls 1.4 and 1.5.

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.

Applicant: Trees and Technology Limited

Application Code: GMD00123

Purpose: To transform Eucalyptus species with a reporter gene and suitable marker, in order to monitor the gene expression during plant development

ERMA Approval Code: GMD000647–54

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

Applicant: Trees and Technology Limited

Application Code: GMD00124

Purpose: To transform *Pinus radiata* with a reporter gene and suitable marker, in order to monitor the gene expression during plant development

ERMA Approval Code: GMD000517–20

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

Applicant: Trees and Technology Limited

Application Code: GMD00125

Purpose: To transform the cellulose synthesis pathway of Eucalyptus species

ERMA Approval Code: GMD000655–62

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

Applicant: Trees and Technology Limited

Application Code: GMD00271

Purpose: To transform Eucalyptus species with suitable reporter and selection genes. This is an update of GMO00/FC002

ERMA Approval Code: GMD01486–9

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

Applicant: Trees and Technology Limited

Application Code: GMD00272

Purpose: To transform Eucalyptus species with alternative markers

ERMA Approval Code: GMD001490–7

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

Applicant: Trees and Technology Limited

Application Code: GMD01004

Purpose: To use tree-tobacco (*Nicotina glauca*) as a model plant for investigation of the genetic basis of wood composition, and to gain understanding of the effect of altered levels of cellulose synthesis in Eucalyptus species
Update of GMO00/FC003

ERMA Approval Code: GMD000718–26

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

Applicant: Trees and Technology Limited

Application Code: GMD01020

Purpose: To use *Escherichia coli* as maintenance host for binary vectors, and to introduce these vectors into disarmed strains of *Agrobacterium tumefaciens* for the purpose of plant transformation
Update of GMO00/FC002

ERMA Approval Code: GMD000772–3

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

Applicant: Trees and Technology Limited

Application Code: GMD01021

Purpose: To use the GUS reporter gene in experimentation to improve transformation protocols developed for *Pinus radiata* and Eucalyptus species

ERMA Approval Code: GMD000892–907

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

Applicant: Trees and Technology Limited

Application Code: GMD01066

Purpose: To investigate the effect of modification of the level of accumulation of lignin in secondary vascular tissue in woody plants

ERMA Approval Code: GMD000939–52

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

Applicant: Trees and Technology Limited

Application Code: GMD01152

Purpose: To investigate the effects of the inserted genes on the quality and quantity of wood produced by modified trees

ERMA Approval Code: GMD001575–89

Decision Amended To: Change the applicant from Fletcher Challenge Forests to Trees and Technology Limited

Date S67A Amended: 03 March 2004

HAZARDOUS SUBSTANCES

NOTIFIED APPLICATIONS AND PUBLIC SUBMISSIONS

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Applicant: Reckitt Benckiser (NZ) Limited

Application Code: HSR04008

Purpose: To import a ready-to-use pest control product containing a pyrethroid active in a trigger pack

Date Formally Received: 24 February 2004

Date Publicly Notified: 02 March 2004

Date Submissions Close: 15 April 2004

NON-NOTIFIED APPLICATIONS RECEIVED

Applicant: Nalco New Zealand Limited

Application Code: HSR04009

Purpose: TX12539 is a cooling water additive. It is intended for use in Industrial Cooling Water systems

Date Formally Received: 22 March 2004

APPLICATIONS WITHDRAWN

Applicant: Bomac Laboratories Limited

Application Code: HAZ03008

Purpose: To determine if Tendotrophin is a hazardous substance under the HSNO Act.

Date Application Received: 24 June 2003

Date Application Withdrawn: 31 March 2004

Reason Withdrawn: Applicant has withdrawn the application as at 31 March 2004.

DECISIONS ON APPLICATIONS

Applicant: Industrial Research Limited

Application Code: HSC04001

Purpose: To manufacture in containment two monosaccharide derivatives, for which no toxicology or ecotoxicology data is available, to be sold to a research laboratory overseas for research and development

Formally Received: 11 February 2004

Decision Notified: 01 March 2004

Decision: Approved with Controls

Identifier for Substance: IRL Glycotherapeutic 0004a
IRL Glycotherapeutic 0004b

ERMA Approval Code: HSC000082-3

Controls:

1. The facility (IRL Glycosyn) where the substances will be synthesised shall comply with the Hazardous Substances (Exempt Laboratories) Regulations 2001. Compliance with these regulations will cover the matters to be addressed by the containment controls for hazardous substances contained in Schedule 3, Part III, of the HSNO Act.
2. The substances may only be exported to the contained research facility overseas which has been identified in the confidential appendices to the application.
3. A maximum of 5 kilograms of each substance shall be manufactured.
4. The primary containment is the closed vessels and lines used in the manufacturing process. Secondary containment is the enclosed, banded cells within which each vessel is contained. Further containment is provided by the enclosed and banded building.
5. Entrances to IRL Glycosyn shall be by way of airlocks. Windows shall be non-opening. HEPA-filtered air shall be provided for IRL Glycosyn.
6. All personnel carrying out the synthesis and packaging of the substances shall wear appropriate personal protective equipment.
7. Handling of the substances shall be in accordance with good laboratory practice. Any spillage of the substances shall be cleaned up with appropriate absorbent material. The used absorbent material shall be securely packaged and retained in IRL Glycosyn until it has been rendered non-hazardous prior to disposal.

8. The substances shall be stored in IRL Glycosyn until they are exported. Only authorised personnel shall be allowed into IRL Glycosyn, which has access controlled by electronic security systems and is itself located within a controlled access site.
9. The substances shall each be packaged for transportation in a container within a container (secondary containment) and that secondary container shall be sufficient to control any release if the primary container should leak. The containers shall comply with the Hazardous Substances (Packaging) Regulations 2001, and shall be labelled in accordance with the Hazardous Substances (Identification) Regulations 2001. A Safety Data Sheet shall accompany each shipment.
10. The substances shall be transported in accordance with good practice. This may require compliance with the Land Transport Rule: Dangerous Goods 1999.
11. If for any reason a breach of containment occurs, the Manager: GSF Facility shall notify OSH and ERMA New Zealand within 24 hours of the breach being detected. It is suggested that if a breach in containment results in contamination of a waterway, the relevant iwi authorities be advised of the contamination and the measures taken in response.
12. The Authority or its authorised agent or properly authorised enforcement officers, may inspect the facility at any reasonable time.

Applicant: Osmose New Zealand

Application Code: HSR03043

Purpose: To manufacture HYLITE antisapstain, an antisapstain product for the control of sapstain and mould on timber

Formally Received: 17 October 2003

Decision Notified: 01 March 2004

Decision: Approved with Controls

Identifier for Substance: HYLITE Antisapstain

Classification: 8.1A metal corrosive, 6.1E acute oral toxicant, 6.1D acute dermal toxicant, 6.1D acute inhalation toxicant, 8.2B skin corrosive, 8.3A eye corrosive, 6.5A respiratory sensitiser, 6.6A known or presumed human mutagen, 6.8A known or presumed human reproductive and developmental toxicant, 6.9B target organ systemic toxicant, 9.1A highly toxic to aquatic environment, 9.2C toxic to soil environment, 9.3B toxic to terrestrial vertebrates

ERMA Approval Code: HSR000095

Controls:

Control Code ⁷	Regulation ⁸	Explanation ⁹
Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 - Toxic and Ecotoxic Property Controls		
T3, E5	5(1), 5(2) and 6	Requirements for keeping records of use
T4, E6	7	Requirements for equipment used to handle hazardous substances
T5	8	Requirements for protective clothing and equipment
T7, E8	10	Restrictions on the carriage of hazardous substances on passenger service vehicles
E1	32–45	Limiting exposure to ecotoxic substances

7 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 the ERMA New Zealand website www.ermanz.govt.nz/resources and is also contained in the *ERMA New Zealand User Guide to the Controls Regulations*.

8 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.

9 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		
		<p>The Identification Regulations prescribe requirements with regard to identification of hazardous substances in terms of:</p> <ul style="list-style-type: none"> - information that must be ‘immediately available’ with the substance (priority and secondary identifiers). This information is generally provided by way of the product label - documentation that must be available in the workplace, generally provided by way of MSDS - signage at a place where there is a large quantity of the substance.
I1	6, 7, 32–35, 36 (1)–(7)	General identification requirements
I2	8	Priority identifiers for corrosive substances
I3	9	Priority identifiers for ecotoxic substances
I8	14	Priority identifiers for certain toxic substances
I9	18	Secondary identifiers for all hazardous substances
I10	19	Secondary identifiers for corrosive substances
I11	20	Secondary identifiers for ecotoxic substances
I16	25	Secondary identifiers for toxic substances
I17	26	Use of Generic Names
I18	27	Use of Concentration Ranges
I19	29–31	Alternative information in certain cases
I20	36(8)	Durability of information for class 6.1 substances
I21	37–39, 47–50	Documentation required in places of work
I22	40	Specific documentation requirements for corrosive substances
I23	41	Specific documentation requirements for ecotoxic substances
I28	46	Specific documentation requirements for toxic substances
I29	51–52	Duties of persons in charge of places with respect to signage
I30	53	Advertising corrosive and toxic substances
Hazardous Substances (Packaging) Regulations 2001		
P1	5, 6, 7 (1), 8	General packaging requirements
P3, P13, P14 and P15	9, 19, 20 and 21	Packaging requirements
PG2	Schedule 2	This schedule provides the test methods for packaging required to be tested in accordance with this schedule. The tests in Schedule 2 correlate to the packaging requirements of UN Packing Group II (UN PGII).

Hazardous Substances (Disposal) Regulations 2001		
D4, D5	8, 9	Disposal requirements for toxic and corrosive substances
D6	10	Disposal requirements for packages
D7	11, 12	Disposal information requirements
D8	13, 14	Disposal documentation requirements
Hazardous Substances (Emergency Management) Regulations 2001		
EM1	6, 7, 9–11	Level 1 emergency management information: General requirements
EM2	8(a)	Information requirements for corrosive substances
EM6	8(e)	Information requirements for toxic substances
EM7	8(f)	Information requirements for ecotoxic substances
EM8	12–16, 18–20	Level 2 emergency management information requirements
EM11	25–34	Level 3 emergency management requirements – emergency response plans
EM12	35–41	Level 3 emergency management requirements – secondary containment
EM13	42	Level 3 emergency management requirements – signage

Applicant: P & O Nedlloyd

Application Code: TNS04003

Purpose: To tranship explosives of class 1.4B through Auckland en route from Germany to Australia

Formally Received: 26 February 2004

Decision Notified: 10 March 2004

Decision: Approved with Controls

Identifier for Substance: Detonators, electric for blasting, UN 0255, Class 1.4B

ERMA Approval Code: TNS000039

Controls:

1. The consignment shall comply with all the relevant provisions of the IMDG code for explosives of the type involved in this shipment. In addition, the following additional controls are stipulated:
2. Handling and storage of the consignment is to be in accordance with ‘The handling of Explosives at the Port of Auckland and Onehunga Guidelines’.
3. The containers are to be discharged by shore crane to the Explosive Barge and moved to the Explosives Anchorage. No other work is to be conducted in the vessel until such time as the detonators are removed from it.

4. The barge will return to the terminal, immediately prior to the vessel sailing, for the shore crane to lift the containers back on to the vessel.
5. While in transit in New Zealand, the containers must be sealed and not opened unless deemed necessary in response to an emergency.

DELEGATED AUTHORITY

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

There have been no decisions decided by the Chief Executive 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:

There have been no decisions decided by the Chief Executive in this period.

TEST CERTIFIERS

The Chief Executive of the Environmental Risk Management Authority, acting under delegated power from the Authority, reached decisions on the following applications.

Applicant: Bruce Evans

Address: Evatech, PO Box 3568, Nelson 7002

Decision: Approved with Limitations

Date of Approval: 25 March 2004

ERMA Approval Code: TST000011

Requirements for which a Test Certificate may be issued:

- Hazardous substance locations where substances of classes 2.1.2, 3.1, 4.1.1, 4.3 and 5.1.1 are present in other than bulk containers
- Handlers in control of substances of classes 2.1.2, 3.1, 4.1.1, 4.3, 5.1.1, 6.1, 6.7A, 8.2A, 9.1A, 9.2A, 9.3A, 9.4A, in places of manufacture, storage and distribution.
- Handlers in control of the ground application of agrichemicals.
- Handlers in control of the farm use of animal remedies.

Limitations:

‘Agrichemicals’ has the meaning given in the latest version of NZS 8409

Applicant: Rob McColl

Address: TMR Limited, 17 Milburn Street, Kew, Dunedin 9001

Decision: Approved with Limitations

Date of Approval: 12 March 2004

ERMA Approval Code: TST000055

Requirements for which a Test Certificate may be issued:

- Handlers in control of the transportation, storage, manufacture, use in manufacture, disposal and emergency management of substances of classes 2 to 5, 6, 8 and 9.

Limitations:

The approval does not include handlers in control of the use of vertebrate poisons, pesticides, and veterinary medicines.

Applicant: Russell Bierre

Address: 32 Hill Street, Paeroa

Decision: Approved with Limitations

Date of Approval: 15 March 2004

ERMA Approval Code: TST000056

Requirements for which a Test Certificate may be issued:

- Locations where class 2 to 5 substances are present
- Handlers in control of the manufacture, storage, importation, use in manufacturing and emergency management of class 2 to 6, 8 and 9 substances

Limitations:

The approval does not include handlers in control of the use of vertebrate poisons, pesticides, and veterinary medicines

Applicant: Blair Wilmshurst

Address: Opotiki District Council, PO Box 44, Opotiki 092

Decision: Approved with Limitations

Date of Approval: 16 March 2004

ERMA Approval Code: TST000057

Requirements for which a Test Certificate may be issued:

- Locations where class 2 to 5 substances are present

Applicant: Bruce Gulley

Address: OH&S Services Limited, PO Box 68 440, Newton, Auckland

Decision: Approved with Limitations

Date of Approval: 17 March 2004

ERMA Approval Code: TST000058

Requirements for which a Test Certificate may be issued:

- Handlers in control of the manufacture, storage, transport, use and disposal of class 2 to 6, 8 and 9 substances.

Limitations:

The approval does not include handlers in control of the use of vertebrate pest control products, pesticides and veterinary medicines.

Applicant: Gordon Simpson

Address: HAZSUB Systems, PO Box 52 080,
Titahi Bay, Porirua

Decision: Approved with Limitations

Date of Approval: 12 March 2004

ERMA Approval Code: TST000060

Requirements for which a Test Certificate may be issued:

- Locations where class 2 to 5 substances are present
- Handlers in control of the manufacture, storage, importation, use in manufacturing and emergency management of class 2 to 6, 8 and 9 substances

Limitations:

The approval does not include handlers in control of the use of vertebrate poisons, pesticides, and veterinary medicines.

**DECISIONS WITH FUTURE
GENERAL IMPLICATIONS -
SELECTED CASE STUDIES****Case Study on EradiRat® and EradiMouse®**

The decision for HSR04010 (approval codes HSR000096 and HSR000097) was the first of its kind in that the substances were approved without controls.

The application, by DuPont (New Zealand) Ltd, was to import or manufacture a hazardous substance under Section 28A(2)(b) of the Hazardous Substances and New Organisms (HSNO) Act 1996 on the grounds of least degree of hazard.

EradiRat® and EradiMouse® are non-specific, non-toxic rodenticides. The products are unique in that they are derived from a cellulosic material contained in certain maize hybrids, which, while giving complete kill of rodents, are harmless to humans and domestic animals. All of the components are natural food grade materials. The only reason the substances trigger a hazardous property is because of the intent to kill rats and mice, therefore they are classified as 9.1D (biocidal).

The biocidal classification triggered a number of default controls, but after consideration of the lifecycle it was concluded that there were negligible risks and that no adverse effects would arise and therefore, the controls could be deleted.

This decision sets a precedent in that, in appropriate circumstances a substance can be approved without controls.

TRANSFER UPDATE**Dangerous Goods and Scheduled Toxic Substances now transferred to HSNO**

On 1 April 2004, single substance Dangerous Goods and Scheduled Toxic Substances were transferred to the Hazardous Substances and New Organisms Act 1996 by Notice in the New Zealand Gazette. These are the first group of substances transferred by this mechanism, rather than by Regulation.

This means that the transfer of dangerous goods means are no longer regulated under the Dangerous Goods Act but are subject instead to controls assigned to individual substances in line with the Hazardous Substances and New Organisms (HSNO) Act. Similarly toxic substances are not regulated by the Toxic Substances Act and Regulations. These controls reflect HSNO Regulations, but also take account of the sense of continuing current practice where this has been effective in managing risks.

To assist with the practical process of becoming compliant under the HSNO regime, a Staged Implementation process has been adapted. This will not only allow industry time to become familiar with the HSNO compliance requirements, but will allow the new Test Certificates required in some situations to be progressively introduced.

More details on Staged Implementation is provided in the Dangerous Goods Dispatch, Issue 3 available from our website www.ermanz.govt.nz