

Substance Name: Soluble concentrate containing 300 g/litre clopyralid as the amine salt (Substance B)

ERMA Approval Code: HSR000761

Trade Name Products transferred:

Versatill Herbicide

Hazard Classification: 9.1B, 9.2A, 9.3C

Transfer Notice: Hazardous Substances (Pesticides) Transfer Notice 2004
New Zealand Gazette, 15 June 2004 – Issue No.72
(<http://www.ermanz.govt.nz/hs/pesticides/gn72.pdf>)

Transferred Date: **1 July 2004**

Controls applying to this substance are given in the:

1. Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001.
2. Hazardous Substances (Packaging) Regulations 2001.
3. Hazardous Substances (Disposal) Regulations 2001.
4. Hazardous Substances (Personnel Qualifications) Regulations 2001.
5. Hazardous Substances (Emergency Management) Regulations 2001.
6. Hazardous Substances (Tracking) Regulations 2001.
7. Hazardous Substances (Identification) Regulations 2001.
8. Hazardous Substances (Tank Wagon and Transportable Containers) Regulations 2004.
9. Controls for Stationary Container Systems: Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004.

Part A: Relevant Controls

The control codes in this table refer to the control codes as defined in the classification/controls matrix of the User Guide to the Control Regulations. The matrix uses a coding system whereby each unique code represents a regulatory provision or group of related provisions in the HSNO “regulatory toolbox”.

Details of the HSNO regulations relating to the control codes are available in the *Compilation of Hazardous Substances Regulations and Controls* available at <http://www.ermanz.govt.nz/hs/hs-regulations.html>.

The relevant controls from the HSNO “regulatory toolbox” that apply to this substance are listed below. Where a control has been changed this is indicated by a star (*) next to the control code. The detail of this change, including deletion of a control, is given in Part B of this document.

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

Code E1*	Regs 32 – 45	Limiting exposure to ecotoxic substances through the setting of EELs
Code E2	Regs 46 – 48	Restrictions on use of substances in application areas
Code E5	Regs 5(2), 6	Requirements for keeping records of use
Code E6	Reg 7	Requirements for equipment used to handle substances
Code E7*	Reg 9	Approved handler/security requirements for certain ecotoxic substances

Hazardous Substances (Packaging) Regulations 2001

Code P1	Regs 5, 6, 7(1), 8	General packaging requirements
Code P3	Reg 9	Criteria that allow substances to be packaged to a standard not meeting Packing Group I, II or III criteria
Code P15	Reg 21	Packaging requirements for ecotoxic substances
Code PG3	Schedule 3	Packaging requirements equivalent to UN Packing Group III

Hazardous Substances (Disposal) Regulations 2001

Code D5	Reg 9	Disposal requirements for ecotoxic substances
Code D6	Reg 10	Disposal requirements for packages
Code D7	Regs 11, 12	Information requirements for manufacturers, importers and suppliers, and persons in charge
Code D8	Regs 13, 14	Documentation requirements for manufacturers, importers and suppliers, and persons in charge

Hazardous Substances (Personnel Qualifications) Regulations 2001

Code AH1*	Regs 4 – 6	Approved Handler requirements (including test certificate and qualification requirements)
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Hazardous Substances (Tracking) Regulations 2001

Code TR1*	Regs 4(1), 5, 6	General tracking requirements
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Hazardous Substances (Emergency Management) Regulations 2001

Code EM1	Regs 6, 7, 9 – 11	Level 1 information requirements for suppliers and persons in charge
Code EM7	Reg 8(f)	Information requirements for ecotoxic substances
Code EM8	Regs 12-16, 18-20	Level 2 information requirements for suppliers and persons in charge
Code EM11	Regs 25 – 34	Level 3 emergency management requirements: duties of person in charge, emergency response plans
Code EM12*	Regs 35 – 41	Level 3 emergency management requirements: secondary containment
Code EM13	Reg 42	Level 3 emergency management requirements: signage

Hazardous Substances (Identification) Regulations 2001

Code I1	Regs 6, 7, 32–35, 36(1) – (7)	Identification requirements, duties of persons in charge, accessibility, comprehensibility, clarity and durability
Code I3	Reg 9	Priority identifiers for ecotoxic substances
Code I9	Reg 18	Secondary identifiers for all hazardous substances
Code I11	Reg 20	Secondary identifiers for ecotoxic substances

Code I19	Regs 29 – 31	Additional information requirements, including situations where substances are in multiple packaging
Code I21	Regs 37-39, 47-50	General documentation requirements
Code I23	Reg 41	Specific documentation requirements for ecotoxic substances
Code I29	Regs 51, 52	Signage requirements

Hazardous Substances (Tank Wagon and Transportable Containers) Regulations 2004

Controls for Stationary Container Systems

These controls are set out in Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004*

HSNO regulations details:

Details for the HSNO regulations relating to the control codes (unless otherwise changed as listed in Part B) are available in the *Compilation of Hazardous Substances Regulations and Controls* available at <http://www.ermanz.govt.nz/hs/hs-regulations.html>.

Part B: Changes to Controls

The wording of the varied regulations given below may be different to that in the Hazardous Substances (Pesticides) Transfer Notice (*New Zealand Gazette*, Issue No. 72). This is because the varied regulations in the transfer notice are written to apply to more than one substance at a time. For this particular substance register entry (this document), the wording has been simplified to apply solely to this substance. Nonetheless, this simplification of the text has not changed the meaning or the requirements as they are set out in the Pesticides Transfer Notice.

Code E7/AH1	Regulation 9 of the Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 Regulation 9(1) is replaced by: (1) This hazardous substance must be under the personal control of an approved handler when the substance is— (a) applied in a wide dispersive manner; or (b) used by a commercial contractor; or (c) applied directly onto or into water.
Code TR1	Regulations 4 to 6 of the Hazardous Substances (Tracking) Regulations 2001 Regulations 4 to 6 are omitted for this substance. This means that this substance does not need to be tracked.
Code EM12	Regulations 35-42 of the Hazardous Substances (Emergency Management) Regulations 2001 The following subclauses are added after subclause (3) of regulation 36: (4) For the purposes of this regulation, and regulations 37 to 40, where this substance is contained in pipework that is installed and operated so as to manage any loss of containment in the pipework it— (a) is not to be taken into account in determining whether a place is required to have a secondary containment system; and (b) is not required to be located in a secondary containment system. (5) In this clause, pipework— (a) means piping that— (i) is connected to a stationary container; and (ii) is used to transfer a hazardous substance into or out of the stationary container; and (b) includes a process pipeline or a transfer line.
	Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 Clause 1: This clause applies as if the words “a hazardous substance described in Schedules 1 and 2” in subclause (1) was replaced by: “this substance”. Clause 100: This clause applies as if subclause (1) was replaced by: (1) In this Part, existing stationary container system means a stationary container system to which this Schedule applies that, immediately before 1 July 2004,— (a) was being used to contain this substance; or (b) was designed to be used to contain this substance, and construction of the stationary container system to that design had commenced.

Exposure limits:

Code E1	Environmental Exposure Limits : No environmental exposure limit (EEL) is set for this substance at this time. The default EELs
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given under regulation 32 are deleted.

Staged Implementation:

Schedule 3 of the Hazardous Substances (Pesticides) Transfer Notice 2004 (*New Zealand Gazette*, 2004, No 72, p 1700) [<http://www.ermanz.govt.nz/hs/pesticides/gn72.pdf>] sets the transitional controls for this substance.

These controls provide for a transitional period to allow manufacturers, importers and suppliers, and persons otherwise dealing with this pesticide, to comply with the HSNO Act and controls under the Act*.

The **key dates** are:

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| 1 January 2005 | All persons that require an approved handler for this substance must have an approved handler certificate (transitional or full).
All persons must comply with the HSNO controls set out in this document, with the exception of the specific regulations for Emergency Management, Disposal, Packaging and Identification listed below: |
| 30 June 2005 | All persons must comply with regulations 21-34 of the Hazardous Substances (Emergency Management) Regulations 2001. |
| 30 June 2006 | All persons must comply with: <ul style="list-style-type: none">• Regulations 6-20 and 42 of the Hazardous Substances (Emergency Management) Regulations 2001• Regulations 11 to 14 of the Hazardous Substances (Disposal) Regulations 2001• The Hazardous Substances (Packaging) Regulations 2001• The Hazardous Substances (Identification) Regulations 2001. |
| 1 January 2007 | All persons that require an approved handler for this substance must have a full 5 year approved handler certificate. |

* The transitional period applies only for people/substances or locations that were compliant with the requirements in place at the close of 30 June 2004.