

What's changing – labelling of hazardous substances

On 1 December 2017, the EPA Hazardous Substances (Labelling) Notice comes into force. This notice sets the rules for labelling hazardous substances.

This document is for importers and manufacturers of hazardous substances and summarises the changes to the labelling rules. It also lets you know when you need to comply with the changes.

What's changing?

GHS elements adopted

The notice adopts the labelling elements from the 5th edition of the Globally Harmonised System of Classification and Labelling (GHS).

To date, following the GHS for labelling has been one way of complying with the labelling rules set in group standards or the HSNO regulations, but it has not been mandatory.

Additional labelling statements needed for pesticides

The notice requires a number of additional statements to be on the label for pesticide products. Most of these statements already need to be on the label under current requirements. Setting these rules in the Labelling Notice provides greater clarity so you will know what labelling statements will be required.

You can still comply with certain overseas labelling laws – but keep a record

The notice still allows manufacturers and importers to use the same labels on products that they use in Canada, Europe, Australia or the United States of America, as long as some New Zealand specific information is also included.

However, if you want to use the same labels from one of these places, you will need to keep a record at your business of your intention before importing or manufacturing the substance. The record must specify which country's labelling law is being adopted or the particular legal instrument being relied upon. The record must be dated and be kept for at least two years after the substance is no longer available for supply.

Listing specific toxic or corrosive ingredients on the label

The notice changes some of the current concentration levels that determine whether or not you need to list individual toxic or corrosive ingredients on the label. These changes more closely align our rules with the GHS.

As part of the health and safety changes, new rules for labelling hazardous substances are coming.

But if your product labels are compliant now, you don't need to do anything immediately, other than start to plan how you make the changes in time.

More about EPA Notices

An EPA notice is a new way to set rules under the Hazardous Substances and New Organisms Act (HSNO). Notices allow us to simplify rules and put them all in one place, making it easier for people to comply with the rules. You can find out more on our website www.epa.govt.nz

What's not changing?

We're retaining the current HSNO classification numbering system. However, the Labelling Notice and the Safety Data Sheet Notice, will include a correlation table that shows the corresponding GHS classification to the HSNO classifications.

When do you need to comply with the notice?

Summary – when you need to comply with the labelling notice

	Hazardous substances approved under individual approvals	Hazardous substances allowed under existing group standards
Hazardous substances approved before 1 Dec 2017	Between two and four years after the approval is legally reissued ¹	By 1 December 2021
Hazardous substances approved after 1 Dec 2017	As soon as approved	By 1 December 2021

Individual approvals

Substances approved before 1 December 2017 do not need to comply with the new Labelling Notice until the approval has been legally reissued. Once reissued, you will have up to four years to comply, depending on the date of reissue.

New hazardous substances approved after 1 December 2017 will need to comply with the Labelling Notice **immediately**.

Group Standards

From 1 December 2017, all group standards will be reissued to remove workplace controls set under HSNO² and cross-refer to the new EPA Notices.

Hazardous substances allowed under an existing group standard will have four years to comply with the new Labelling Notice. Therefore, these substances will need to be fully compliant with the Labelling Notice by **1 December 2021**.

EPA – What we do

The EPA (Environmental Protection Authority) approves hazardous substances under the Hazardous Substances and New Organisms Act 1996 by assessing the environmental and economic risks and benefits to New Zealanders and the environment.

¹ Dependent on when reissue occurs.

² The workplace controls will be set under the Health and Safety at Work Act (Hazardous Substances) Regulations. See the WorkSafe website for more information www.worksafe.govt.nz