

What's changing – packaging of hazardous substances

On 1 December 2017, the EPA's notice the Hazardous Substances (Packaging) Notice, comes into force. The notice aligns our hazardous substances packaging rules more closely to the United Nations (UN) Recommendations on the Transport of Dangerous Goods. The notice also updates the rules for the packaging of consumer products.

This document gives you a summary of the changes to the packaging rules and sets out when you need to comply with the changes.

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

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

What's changing?

More classifications and larger containers require child-resistant packaging

The rules about when a consumer product needs to be in child-resistant packaging have been extended to cover more hazard classifications and larger containers.

Hazardous substances packaged for consumers in containers holding 5 L, 5 Kg or less will require child-resistant packaging if they have one or more of the hazard classifications listed in the notice.

More classifications and no size limit for permanent identification on packaging

The packaging of consumer products that contain a liquid or solid hazardous substance with the hazardous classifications listed in the notice will need to be permanently identified. Permanent identification on a package includes embossed marking, such as the words *CAUTION* or *POISON*. It can also include label information printed directly on the package, or fixed on the package, so that it remains in place during normal use of the product.

Shape or design of packaging

The new notice prohibits any shape or design of packaging that is likely to attract or arouse the active curiosity of children.

Additionally, the packaging must not mislead consumers about what the product is. For example, that the packaging contains human or animal food or medicine when it doesn't.

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

Design standards for hazardous substances that are dangerous goods

Dangerous goods packaging made outside of New Zealand must conform to a design that has been type-tested and certified by a relevant authority so that it meets the requirements of the UN Model Regulations.

Dangerous goods packaging made in New Zealand must be certified as meeting the UN Model Regulations by an accredited testing laboratory.

When do you need to comply with the notice?

Summary – when you need to comply with the packaging notice

	Hazardous substances approved under individual approvals	Hazardous substances allowed under existing group standards
Hazardous substances approved/allowed before 1 Dec 2017	Between two and four years after the approval is legally reissued ¹	By 1 December 2021
Hazardous substances approved/allowed 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 Packaging Notice until the approval has been legally reissued. Once reissued, you will have between two and four years to comply, depending on the date of reissue. This will be set out in the reissued approval.

New hazardous substances approved after 1 December 2017 will need to comply with the Packaging 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 Packaging Notice. Therefore, these substances will need to be fully compliant with the Packaging 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