

## What's changing – safety data sheets

On 1 December 2017, the EPA Hazardous Substances (Safety Data Sheets) Notice comes into force. The notice includes all of the rules for the information that must be in a safety data sheet (SDS).

This document provides importers and manufacturers with a summary of the changes to the rules for SDS and sets out when you need to comply with the changes.

### What's changing?

#### GHS elements adopted

The notice adopts the 16 header format from the 5<sup>th</sup> revised edition of the Globally Harmonised System of Classification and Labelling (GHS). This is a new requirement for individually approved substances but is similar to what is already in force for substances allowed under a group standard.

The notice also requires section 2 of the safety data sheet to include the GHS label elements – the signal word and the hazard and precautionary statements.

#### Emergency information telephone number

One of the requirements is that an emergency information telephone number be provided in section 1 of the SDS. This telephone line must be able to give information about the substance in the event of an emergency. If you provide the telephone number of a particular national service provider, such as the National Poisons Centre, you must give that service provider a copy of the latest SDS for the substance.

Also, you can't use an emergency service provider's number unless they have agreed to it – either directly to you, or through advertisement of its service.

#### Section 2 must provide the HSNO or GHS classification

The SDS will be required to provide the classification of the substance in section 2. This must be either the HSNO classification, or the corresponding GHS classification.

#### Listing specific toxic, corrosive or ecotoxic ingredients in the SDS

The notice requires you to list components in mixtures that have toxic (class 6), corrosive (class 8) or ecotoxic (class 9) hazards when present above certain concentration levels. These changes more closely align our rules with the GHS.

As part of the health and safety changes, there will be new rules for safety data sheets (SDS).

But if your SDS 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](http://www.epa.govt.nz)



### **Section 8 requires more specific details about exposure controls**

The SDS will need to provide more detail about the specific types of personal protective equipment needed to protect those using the substance.

### **More detail required in section 15**

The notice also requires more detail in section 15 of the SDS. For example, applicable tolerable exposure limits and environmental exposure limits must be given. Also, any other requirements not previously listed such as whether the substance is required to be under the control of a certified handler, controlled substance licence holder or needs to be tracked under the Health and Safety at Work Act. Whether the substance is subject to other New Zealand legislation or international agreements must also be provided in this section.

### **SDS must be updated at least once every five years**

The notice requires the manufacturer or importer to review, update if necessary, and reissue each SDS at least once every five years.

### **You can still comply with overseas laws – but keep a record**

If you have a GHS-compliant SDS from Canada, Europe, Australia or the United States of America you can still use that SDS in New Zealand as long as you include certain New Zealand-specific information.

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 law is being adopted or the particular legal instrument being relied upon. The record must be dated and kept for at least two years after the substance is no longer available.

## What's not changing?

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

The HSNO approval number must also still be listed in section 15 of the SDS.

## When do you need to comply with the notice?

### Summary – when you need to comply with the SDS notice

	Hazardous substances approved under individual approvals	Hazardous substances allowed under existing group standards
Hazardous substances approved/allowed <b>before</b> 1 Dec 2017	Two to four years after the approval is legally reissued <sup>1</sup>	By <b>1 December 2021</b>
Hazardous substances approved/allowed <b>after</b> 1 Dec 2017	As soon as approved	By <b>1 December 2021</b>

### Individual approvals

Substances approved before 1 December 2017 do not need to comply with the new SDS 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 SDS Notice **immediately**.

### Group Standards

From 1 December 2017, all group standards will be reissued to remove workplace controls set under HSNO<sup>2</sup> 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 SDS Notice. Therefore, these substances will need to be fully compliant with the SDS 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.

<sup>1</sup> Dependent on when reissue occurs.

<sup>2</sup> 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](http://www.worksafe.govt.nz)