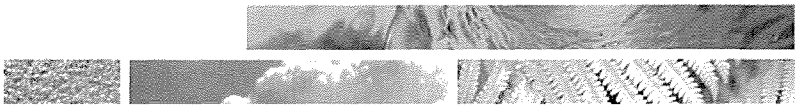
Environmental Protection Authority
Te Mana Rauhī Taiao

# APPLICATION FORM
## Pesticides



# To obtain approval to import or manufacture a pesticide

**Send to Environmental Protection Authority preferably by email (HSApplications@epa.govt.nz) or alternatively by post (Private Bag 63002, Wellington 6140)**
Payment must accompany application; see our fees and charges schedule for details.

**This form should also be used for**

- Antifouling paints ☐
- Fumigants ☐
- Plant protection products ☐
- Timber treatments ☐
- Vertebrate Toxic Agents ☐

**Name of the substance to be approved**

SCAL 5188 W

**Date**

31/12/2018

# Completing this application form

1. This form has been approved under section 28 of the Hazardous Substances and New Organisms (HSNO) Act 1996. It only covers the import or manufacture of pesticides to be released in New Zealand under section 28 of the HSNO Act. If you wish to make an application for another type of substance (such as a veterinary medicine or industrial chemical) or for another type of application (such as emergency, special emergency or containment), a different form will have to be used. All forms are available on our website.
2. It is recommended that you contact an Applications Advisor at the Environmental Protection Authority (EPA) as early in the application process as possible. An Applications Advisor can assist you with any questions you have during the preparation of your application including advising on any consultation requirements.
3. Before submitting this application, you may make an informal Status of Substance (SOS) advice request to the EPA. Further information on this process is available on our website. Please note that this is not mandatory and an SOS request is only informal advice.
4. This application form may be used to seek approvals for more than one hazardous substance, if the substances and their uses are of a similar nature.
5. Please make sure that you obtain all appropriate permissions for the use of any data that you have used or provided in this application form, if you are not the owner of such data.
6. Unless otherwise indicated, all sections of this form must be completed for the application to be formally received and assessed. If a section is not relevant to your application, please provide a comprehensive explanation why this does not apply. If you choose not to provide the specific information, you will need to apply for a waiver under section 59(3)(a)(ii) of the HSNO Act. This can be done by completing the section on the last page of this form.
7. Any extra material that does not fit in the application form must be clearly labelled, cross-referenced, and included with the application form when it is submitted.
8. Please add extra rows or tables where needed.
9. You must sign the form (the EPA will accept electronically signed forms) and enclose the application fee (including GST) unless you are already an approved EPA customer. To be recognised by the EPA as an "Approved customer", you must have submitted more than one application per month over the preceding six months, and have no history of delay in making payments, at the time of presenting an application.
10. Information about application fees is available on the EPA website. If you wish to claim a fee reduction for a reduced-risk-formulated product the appropriate justification must be submitted at the pre-lodgement stage for consideration.
11. All application communications from the EPA will be provided electronically, unless you specifically request otherwise.

# Commercially sensitive information

12. The EPA strongly advises applicants to provide as much information relating to the hazard classification and use of their substance as possible to help inform the EPA's assessment as well as for submitters and decision-makers. We expect this information to be publicly available in the application unless there is a genuine argument for it to be considered as commercially sensitive.
13. Commercially sensitive information may be put in a confidential appendix to this form (also available on our website) and be identified as confidential. If you consider any information to be commercially sensitive, please show this in the relevant section of this form providing your detailed reasons for considering it to be commercially sensitive and cross referencing to where that information is located in the confidential section.
14. Any information you supply to the EPA prior to formal lodgement of your application will not be publicly released, unless it has already been made publicly available as part of the consultation process. Following formal lodgement of your application any information in the body of this application form and any non-confidential appendices will become publicly available.
15. Once you have formally lodged your application with the EPA, any information you have supplied to the EPA about your application is subject to the Official Information Act 1982 (OIA). If a request is made for the release of information that you consider to be confidential, your view will be considered in a manner consistent with the OIA and with section 57 of the HSNO Act. You may be required to provide further justification for your claim of confidentiality.

# Definitions

| | |
|---|---|
| **Active ingredient** | Component of a formulated substance responsible for the pesticidal effect |
| **CAS Number** | Chemical Abstracts Service number. This is a unique identifier for a chemical substance |
| **CIPAC Number** | Collaborative International Pesticides Analytical Council. The CIPAC code number system is a simple approach for an unambiguous coding of active ingredients and variants used in the area/field of pesticides |
| **Hazardous substance** | Any substance with one or more of the following intrinsic properties:<br>• Explosiveness<br>• Flammability<br>• A capacity to oxidise<br>• Corrosiveness<br>• Toxicity (including chronic toxicity)<br>• Ecotoxicity, with or without bioaccumulation, or<br>• which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in this definition |

| | |
|---|---|
| **EINECS** | European INventory of Existing Commercial chemical Substances |
| **ELINCS** | European List of Notified Chemical Substances |
| **IUPAC** | International Union of Pure and Applied Chemistry. The world authority on chemical nomenclature |
| **Pesticide** | Substance or mixture of substances intended to be used for preventing, controlling, repelling or mitigating any pest (including vertebrates) in areas such as, but not limited to, agriculture, home and garden, rights of way or industrial areas |
| **Professional and non-professional users** | Professional users are using pesticides in the course of their job or business (such as farmers and growers or amenity users). Professional use may include the use of formulated substances in order to deliver services to business or private customers<br>Non-professional users are not using pesticides in the course of their job or business (such as lifestyle block owners, general public using pesticides for domestic use, and so on) |
| **Public register name** | Name of the formulated substance to be mentioned in a publicly available register and that can be different from the final marketing name |
| **Relabelling** | Action of changing the label of a formulated substance intended to be imported in New Zealand in order to meet the EPA criteria for information content. This action can also occur when the formulated substance is repacked into packaging of different sizes |
| **Repackaging** | Movement or transfer of a substance from one container to another without a change in composition of the formulation or the labelling content, for sale or distribution |
| **Status Of Substance (SOS) advice** | The advice provided in a SOS advice request will include:<br>• Whether or not a substance is hazardous<br>• Whether the substance is covered or not by an existing approval<br>• The hazard classifications of the substance<br>• The potential relevant approval pathway for the substance |
| **Substance** | Any of the following:<br>• Any element, defined mixture of elements, compounds or defined mixture of compounds, either naturally occurring or produced synthetically, or any mixtures thereof;<br>• Any isotope, allotrope, isomer, congener, radical or ion of an element or compound which has been declared by the Authority, by notice in the Gazette, to be a different substance from that element or compound;<br>• Any mixtures or combinations of any of the above;<br>• Any manufactured article containing, incorporating or including any hazardous substance with explosive properties.<br>(section 2(1) HSNO Act) |

# 1. Applicant details

## 1.1. Applicant

**Company Name:** Sumitomo Chemical Australia Pty Ltd

**Contact Name:** [redacted]

**Job Title:** [redacted]

**Postal Address** (provide only if not the same as the physical): [redacted]

**Physical Address:** [redacted]

**Phone** (office and / or mobile) [redacted]

**Fax:** [redacted]

**Email:** [redacted]

## 1.2. New Zealand agent or consultant (if applicable)

**Company Name:**

**Contact Name:**

**Job Title:**

**Postal Address** (provide only if not the same as the physical):

**Physical Address:**

**Phone** (office and / or mobile):

**Fax:**

**Email:**

## 1.3. Formal correspondence contact

All formal correspondence will be sent to the contact person for the application identified here

**Company Name:** Sumitomo Chemical Australia Pty Ltd

**Contact Name:** [redacted]

**Job Title:** [redacted]

**Postal Address** (provide only if not the same as the physical): [redacted]

**Physical Address** [redacted]

**Phone** (office and / or mobile): [redacted]

**Fax:** [redacted]

**Email:** [redacted]

### 1.4. Invoice contact

Only if different from 1.3. Formal correspondence contact - invoice will be sent to the contact person identified here

**Company Name:**

**Contact Name:**

**Job Title:**

**Postal Address** (provide only if not the same as the physical):

**Physical Address:**

**Phone** (office and / or mobile):

**Fax:**

**Email:**

# 2. Information about the substance

### 2.1. Purpose statement or executive summary of the application for the public register

No more than 1,100 characters including the description of the formulated substance to be approved, e.g. Soluble Concentrate 350-400 g active ingredient/L

SCAL 5188 W

To obtain approval to import or manufacture 2.0g/kg prallethrin and 1.0g/kg d-phenothrin aerosol spray insecticide for the outdoor control of wasps in domestic, commercial and industrial areas.

### 2.2. Type of application

Tick the box(es) that best describe your application

Has 'Status of Substance (SOS) Advice' been obtained from the EPA?

☐ Yes ☒ No

If yes, show the SOS reference number:

If yes, is the formulation of the substance different to that submitted at the SOS stage?

(In either case, please provide the composition to the EPA. This may be provided as part of the confidential appendix)

☐ Yes ☐ No

Is the product a new active ingredient to New Zealand?

☐ Yes ☒ No

Does the product contain any viable new organisms, including GMOs?

☐ Yes ☒ No

Does the product contain an ingredient originating from an organism (plant, animal, etc)?[1]

☐ Yes ☒ No

Does the formulated substance contain any nanomaterial?

[1] If you tick 'Yes' and the product is being imported, then include a Biosecurity Clearance from the Ministry for Primary Industries New Zealand. If one has been provided with a previous application and is still valid, this may be referenced.

☐ Yes ☒ No

# 3. Identity of the substance

Any commercially sensitive information may be provided in the confidential appendix of this form
Provide details on the active ingredient(s) as well as the mixture in this section

## 3.1. Identity of the active ingredient(s)

Active ingredient (Common Name): **Prallethrin HSR 003284**

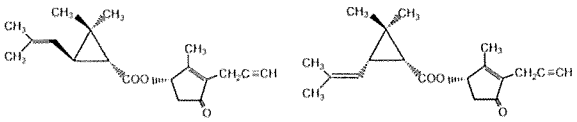
**Other Name: ETOC**

Chemical name (IUPAC): 2-methyl-4-oxo-3-prop-2-yn-1-ylcyclopent-2-en-1-yl 2,2-dimethyl-3-(2-methylprop-1-en-1-yl)cyclopropanecarboxylate

Chemical name (CA): (*S*)-2-methyl-4-oxo-3-(2-propynyl)-2-cyclopent-1-yl (1*R*)-*cis*,*trans*-2,2-dimethyl-3-(2-methyl-1-propenyl)cyclopropanecarboxylate

Molecular formula: $C_{19}H_{24}O_3$

Structural formula:



1R,trans; S 1R,cis; S

CAS No: 23031-36-9

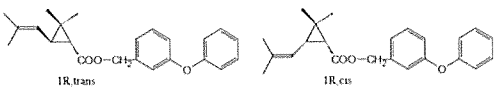
Active ingredient (Common Name): **d-Phenothrin – HSR 003290**

Chemical name (IUPAC): 3-phenoxybenzyl (1*R*)-*cis*, *trans*-chrysanthemate

Chemical name (CA): (3-phenoxyphenyl)methyl (1*R*)-*cis*-*trans*-2,2-dimethyl-3-(2-methyl-1-propenyl) cyclopropanecarboxylate

Molecular formula: $C_{23}H_{26}O_3$

Structural formula:



1R,trans 1R,cis

*d*-phenothrin is the 4:1 mixture of the [*1R,trans*] and [*1R,cis*] isomers.

CAS No: d-phenothrin 188023-86-1 (Phenothrin: 26002-80-2)

Function:

For plant protection products

☐ Herbicide ☐ Microbial strain ☐ Fungicide

☒ Insecticide ☐ Semiochemical (pheromone, attractant, repellent etc.) ☐ Plant Extracts

☐ Other, eg plant growth regulators (specify):

For timber treatments, Vertebrate Toxic Agents (VTA), anti-fouling paints or fumigants, please describe the function:

FAO Specification (including year of publication): ☐ Yes Year: ☐ No

Minimum purity of the active ingredient as manufactured (g/kg):

Prallethrin – 900g/kg min.

d-Phenothrin – 920g/kg min.

**Note**: Any impurities must be provided to the EPA. A certificate of analysis may be included in the confidential appendix.

### 3.2. Regulatory status of the active ingredient(s)

| Jurisdiction | Regulatory status | | | | | Comment* |
|---|---|---|---|---|---|---|
| | Never approved | Pending | Approved | Restricted | Not renewed | |
| Australia | ☐ | ☐ | ☒ | ☐ | ☐ | Both actives |
| Canada | ☐ | ☐ | ☒ | ☐ | ☐ | |
| Europe | ☐ | ☐ | ☒ | ☐ | ☐ | |
| Japan | ☐ | ☐ | ☒ | ☐ | ☐ | |
| New Zealand | ☐ | ☐ | ☒ | ☐ | ☐ | HSR003284; HSR 003290 |
| USA | ☐ | ☐ | ☒ | ☐ | ☐ | |
| Other jurisdictions (specify in comments) | ☐ | ☐ | ☒ | ☐ | ☐ | South east Asia |

*For instance, specify here under which regulation(s) or directive(s).

When restricted or not renewed, explanations should be provided:

### 3.3. Identity of the formulated substance

Formulated substance name: SCAL 5188 W

Manufacturer development codes:

Unique names for public register: SCAL 5188 W

Active ingredient(s) and content (g/kg or L and % w/w): Prallethrin 2.0g/kg 0.2%w/w

d-Phenothrin 1.0g/kg 0.1%w/w

### 3.4. Physical and chemical properties of the formulated substance

Provide as much information as possible on the physical and chemical properties of the substance (at 20°C and 1 atmosphere unless otherwise stated)

**See Appendix 1**

### 3.5. Regulatory status of the formulated substance

| Jurisdiction | Regulatory status | | | | | Comment* |
|---|---|---|---|---|---|---|
| | Never approved | Pending | Approved | Restricted | Not renewed | |
| Australia | ☐ | ☐ | ☐ | ☐ | ☐ | |
| Canada | ☐ | ☐ | ☐ | ☐ | ☐ | |
| Europe | ☐ | ☐ | ☐ | ☐ | ☐ | |
| Japan | ☐ | ☐ | ☐ | ☐ | ☐ | |
| New Zealand | ☐ | ☐ | ☐ | ☐ | ☐ | |
| USA | ☐ | ☐ | ☐ | ☐ | ☐ | |
| Other jurisdictions (specify in comments) | ☐ | ☐ | ☐ | ☐ | ☐ | |

*For instance, specify here under which regulation(s) or directive(s).

Has an application been made for an approval under the Agricultural Compounds and Veterinary Medicines Act?

☐ Yes ☒ No

### 3.6. Composition details of the formulated substance

Full composition details for the substance must be provided to the EPA. These may be included in the confidential appendix

## Appendix 1

The information provided in Appendix 1 is confidential.

# 4. Life cycle of the substance

**Manufacturing**

Will your formulated substance be manufactured in New Zealand?

☐ Yes ☒ No

**Importation**

Will your formulated substance be imported into New Zealand by air and/or sea?

☒ Sea ☒ Air

Will your formulated substance be imported in bulk containers or packaged ready for sale?

☐ Bulk Containers ☒ Packaged ready for sale

If your formulated substance will be imported in bulk containers, please describe these containers:

Will repackaging of your formulated substance be carried out in New Zealand?

☐ Yes ☒ No

Will relabelling of your formulated product be carried out in New Zealand?

☐ Yes ☒ No

Please provide any additional relevant information relating to the importation of your formulated substance: We currently do not envisage for the aerosol product to be produced in NZ, however this may change if future market conditions demand

**Transport**

Will your formulated substance be transported by road, rail, air and/or sea within New Zealand?

☒ Road ☒ Sea ☒ Rail ☐ Air

Please provide any additional information relating to transport of your formulated substance:

UN Number: 1950

UN Transport Hazard Classes: 2YE

UN Packing Group Number (UN Model Regulations[2]): III

Marine Pollutant? (IMDG Code[3]):

[2] UN Model Regulations mean Model Regulations annexed to the most recently revised edition of the Recommendations on the Transport of Dangerous Goods published by the UN

[3] IMDG Code means that International Maritime Dangerous Goods code, as amended

## Packaging

Pack sizes: 300 – 500g

Type of packaging: aerosol can

Type of closure (consider opening size, type of cap, child resistant packaging): spray cap

Please provide any additional information relating to the packaging of your formulated substance:
product may be packed in a range of can sizes.

## Storage

Provide details of how the substance will be stored, and the facilities it will be stored in:

The products should be stored in a cool place out of sun and out of reach of children. Aerosol cans should be disposed in a responsible manner, following label instructions. Do not puncture or incinerate this can, even when empty. Recycle empty cans if a facility is available or place can in household rubbish. Cans with small amounts of product should be sprayed out before can disposing or use disposal facility, if available.

Importer should have storage areas with prominent signage to denote the substances being held.
Finished products will be dispatched to outlets to be stored on shelves for sale to the end user.

## Warehouse storage

Provide details of how the formulated substance will be stored: Importer should have storage areas with prominent signage to denote the substances being held.

Containment of spillages:

Decontamination of areas, personnel, vehicles and buildings:

## Disposal

Disposal of damaged packaging, contaminated absorbents and other materials:
Unused substance from manufacturing process should be disposed of according to regulated procedures. Manufacturer should have systems and facilities in place, for holding and disposal, following regulations for aerosol products.

Detailed instructions for safe disposal of the formulated substance and its packaging:
Disposal of the product should follow label instructions. Do not puncture or incinerate this can, even when empty. Recycle empty cans if a facility is available or place can in household rubbish.

Methods other than controlled incineration for disposal:

# 5. Intended uses of the formulated substance

The information you provide here will be used by the EPA to assess the risks posed by the substance and the controls assigned to manage these risks. You must outline either all the proposed uses of the product or the worst-case scenario for each application method (considering both the application rate and the frequency). **Please use table 5.1 for plant protection products or table 5.2 for all other types of pesticides.** Explanatory notes are below each table.

### 5.1. Intended uses for plant protection products

You must outline either all the proposed uses of the product or the worst case scenario for each application method (considering both the application rate and frequency)

| Crop and/or situation (a) | Product Code | F G or I (b) | Pest or group of pests controlled (c) | Formulation | | Application | | | | Application rate per treatment | | | PHI (days) (l) | Remarks (m) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Type (d-f) | Conc of as (i) | Method kind (f-h) | Growth stage and season (j) | Number min max (k) | Interval between applications (min) | Kg as/hL min max | Water L/ha min max | Kg as/ha min max | | |
| | | | | | | | | | | | | | | |

| Crop and/or situation (a) | Product Code | F G or I (b) | Pest or group of pests controlled (c) | Formulation | | Application | | | | Application rate per treatment | | | PHI (days) (l) | Remarks (m) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Type (d-f) | Conc of as (i) | Method kind (f-h) | Growth stage and season (j) | Number min max (k) | Interval between applications (min) | Kg as/hL min max | Water L/ha min max | Kg as/ha min max | | |
| | | | | | | | | | | | | | | |

(a) For crops, the EU and Codex classifications (both) should be used; where relevant, the use situation should be described (*eg* fumigation of a structure)
(b) Outdoor or field use (F), glasshouse application (G) or indoor application (I)
(c) eg biting and suckling insects, soil born insects, foliar fungi, weeds
(d) eg wettable powder (WP), emulsifiable concentrate (EC), granule (GR)
(e) GCPF Codes - GIFAP Technical Monograph No 2, 1989
(f) All abbreviations used must be explained
(g) Method, eg high volume spraying, low volume spraying, spreading, dusting, drench
(h) Kind, eg overall, broadcast, aerial spraying, row, individual plant, between the plants - type of equipment used must be described
(i) g/kg or g/l
(j) Growth stage at last treatment (BBCH Monograph, Growth Stages of Plants, 1997, Blackwell, ISBN 3-8263-3152-4), including where relevant, season at time of application
(k) The minimum and maximum number of applications possible under practical conditions of use must be provided
(l) PHI - minimum pre-harvest interval
(m) Remarks may include: extent of use, economic importance and restrictions

## 5.2. Intended use for pesticides not used as plant protection products (eg timber treatments, Vertebrate Toxic Agents (VTA), anti-fouling paints or fumigants)

You must outline either all the proposed uses of the product or the worst case scenario for each application method (considering both the application rate and frequency)

| User (a) | Area of Use (b) | Pest or group of pests controlled (c) | Application | | | Application rate per treatment (f) | Remarks (g) |
|---|---|---|---|---|---|---|---|
| | | | Method (d) | Number min max (e) | Interval between applications - days (min) | | |
| Non-Professional | Outdoor areas of domestic, commercial and industrial area | Wasps | Direct spray to wasp or wasp nest | Re-apply if pests reappear. | Re-apply if pests reappear. | Spray in short bursts until nest is saturated | To minimise exposure the label includes the following statements:<br>Wasps can be found in sheltered areas such as under eaves, in ceilings and in trees or logs.<br>Best results are achieved is wasps are sprayed directly. For best results spray in early morning or late evening when insect activity is minimal.<br>Wear protective clothing when treating nests and stand at the safe distance and not directly underneath.<br>Hold can upright and target spray toward nest with wind coming from behind you. Spray should reach 3 – 6 m. Spray with sweeping motion until nest is saturated. |

(a) Professional/non professional
(b) Domestic/commercial/industrial
(c) e.g. biting and suckling insects, soil born insects, foliar fungi, weeds
(d) Method, e.g. high volume spraying, low volume spraying, spreading, dusting, drench
(e) The minimum and maximum number of applications possible under practical conditions of use must be provided
(f) g/kg and g/l or others
(g) Remarks may include; extent of use, economic importance and restrictions

# 6. HSNO hazard classifications of the formulated substance

The information you provide here will form the basis of your substance's HSNO classification.

Please consider each of the hazardous properties in the table below and provide information on those properties that trigger any threshold level for your substance. Use the justification column to record the reason for your classification. If your substance is a mixture, you can apply mixture rules to the hazardous components of the mixture. If you do this, you will need to provide information on the hazardous properties of each hazardous component of the mixture, and show your workings. See Assigning A Product to an HSNO Approval on our website for more information.

Please use the following abbreviations if needed.

**NA**: Not Applicable – For instance when testing is technically not possible: testing for a specific endpoint may be omitted, if it is technically not possible to conduct the study as a consequence of the properties of the substance: eg very volatile, highly reactive or unstable substances cannot be used, mixing of the substance with water may cause danger of fire or explosion or the radio-labelling of the substance required in certain studies may not be possible.

**ND**: No Data or poor quality data (according to Klimisch criteria) – where there is a lack of data.

**No**: Not Classified based on actual relevant data available for the substance – the data is conclusive and shows the threshold for classification is not triggered.

| **Hazard Class/Subclass** | **Formulated substance classification** | **Justification** |
|---|---|---|
| Examples | 3.1C<br>6.1D | Flashpoint = 46 deg C (closed cup)<br>Calculated LD50 = 1250 mg/kg (mixture rules) |
| Class 1 Explosiveness | | |
| Class 2, 3 & 4 Flammability | | |
| Class 5 Oxidisers/Organic Peroxides | | |
| Subclass 8.1 Metallic corrosiveness | | |
| Subclass 6.1 Acute toxicity (oral) | | |
| Subclass 6.1Acute toxicity (dermal) | | |
| Subclass 6.1 Acute toxicity (inhalation) | | |
| Subclass 6.1 Aspiration hazard | | |

| | | |
|---|---|---|
| Subclass 6.3/8.2 Skin irritancy/corrosion | | NA as external use of product diminishes potential exposure to a minimal impact |
| Subclass 6.4/8.3 Eye irritancy/corrosion | | |
| Subclass 6.5A Respiratory sensitisation | | |
| Subclass 6.5B Contact sensitisation | | |
| Subclass 6.6 Mutagenicity | | |
| Subclass 6.7 Carcinogenicity | | |
| Subclass 6.8 Reproductive or developmental toxicity | | |
| Subclass 6.8 Reproductive or developmental toxicity (known, presumed or suspected) | | |
| Subclass 6.8 Reproductive or developmental toxicity (*via* lactation) | | |
| Subclass 6.9 Target organ systemic toxicity[4] | | NA as external use of product diminishes potential exposure to a minimal impact |
| Subclass 9.1 Aquatic ecotoxicity | 9.1A | Reference product (HSR101321) |
| Subclass 9.2 Soil ecotoxicity | | |
| Subclass 9.3 Terrestrial vertebrate ecotoxicity | | |
| Subclass 9.4 Terrestrial invertebrate ecotoxicity | 9.4B | Reference product (HSR101321) |

[4] identify classification for single and/or repeat dose target organ toxicity for oral, dermal or inhalation routes

# 7. Risks, costs and benefits

These are the positive and adverse effects referred to in the HSNO Act. It is easier to regard risks and costs as being adverse (or negative) and benefits as being positive. In considering risks, cost and benefits, it is important to look at both the likelihood of occurrence (probability) and the potential magnitude of the consequences, and to look at distribution effects (who bears the costs, benefits and risks).

You will need to consider the effects on the environment and human health and welfare, including any social effects.

In each section below, set out the information under the following three sub-headings:

- Costs and benefits which can be stated in monetary (dollar) terms
- Non-monetary risks and costs
- Non-monetary benefits.

You must fully complete this section, referencing supporting material. You will need to provide a description of where the information in the application has been sourced from, e.g. from; in-house research, independent research, technical literature, community or other consultation, and provide that information with this application.

### 7.1. Identify all of the potential risks, costs and benefits of the substance(s)

Identification is the first step in assessing risks, costs and benefits. It is important to think about the source of the risk, i.e. the way in which the risk is created (the exposure pathway), and then the consequences and likelihood of exposure.

You should try to think as widely as possible about every potential risk, cost and benefit and give a brief description.

Product is for OUTDOOR control of wasps around domestic, commercial and industrial areas.

| Source of risk | | Adverse effects | Potential significance of risk |
|---|---|---|---|
| Handling for packaging | Occupational exposure | None | Not significant |
| Handling during use | | | Not significant |
| Handling during transport and storage | Occupational exposure, public exposure, | Pressurized container | Significant if mishandled |
| Use of product | Unintended over-spray, spray drift, run-off, leaching | Damage of aquatic organisms | Not significant; product has very localized use. Not intended for heavy spraying. Only targets wasp nests. |
| | | Contamination of waterways | |
| Residual soil activity | | Damage of aquatic organisms. Contamination of soil and waterway | Not significant |
| Incorrect disposal, Packaging, Surplus spray | Public exposure Discharge to soil/water | Damage of aquatic organisms. | Not significant. Empty cans disposed in household rubbish. |
| | | Contamination of soil and waterway | Not significant |
| Incorrect cleaning of spray gear | Discharge to soil/water | Damage of aquatic organisms. | n/a |

### 7.2. Provide an assessment of those risks, costs, and benefits identified in Section 7.1

This section excludes risks, costs, and benefits which relate specifically to Māori taonga or to international agreements. See Sections 7.3 and 7.4 for those aspects.

A full assessment must be provided of all the risks, costs and benefits identified in Section 7.1.For the risk assessment our preferred format is quantitative, however, you may also provide a qualitative assessment if you can justify this. If you are providing your risk assessment in supporting documentation with this application you can provide a summary of all the risks this in this section.

Please note that if you do not complete a full assessment of all risk, costs and benefits this may result in the EPA requesting further information from you, which will mean that your application takes longer to process.

**Assessment of potentially significant risks**

HUMAN HEALTH:

**The potential risk for SCAL 5188 W with respect to the toxicity were initially based on similar assessment done by EPA on referenced products, however with the proposed external (outdoor) use of the product – we believe the risks of exposure and therefore potential risk with respect to toxicity have been reduced to an insignificant level.**

**Re-labelling** – Accidental contact with the substances is **very unlikely** to occur as the product is filled in a printed can and there is no need for re-labelling. The resultant *risk* is thus considered **insignificant**.

**Transportation** – Product should be transported following the guidelines for transport of aerosol products. However, the possibility of human health effects occurring as a result of exposure from spillage is **unlikely** if the applicable HSNO controls are in place. Transport to the distributor/retailer is done by contract carriers who specialise in the transport of hazardous substances. Transport from the distributor/retailer to the end user is done by the provider who will be experienced in the transport of hazardous substances and the volumes transported at any one time are likely to be limited. The default HSNO controls are expected to adequately manage these risks. The resultant *risk* is thus considered **insignificant**.

In the event of a transport accident, drivers and emergency workers attending the spill should be trained in emergency management procedures. Hence the chance of significant exposure is **unlikely**. The default HSNO controls are expected to adequately manage these risks. The resultant *risk* is thus considered **insignificant**.

**Storage** – Accidental spillage may occur during storage at any time throughout the lifecycle. Accidents in storage could arise from careless forklift use, improper stacking of containers, or dropping of smaller containers during physical handling or other leaks. Improperly secured containers could allow access by persons who have no knowledge of the potential danger of the substance, especially children.

An adverse event is **unlikely** to occur during storage in commercial premises when the applicable HSNO controls are in place. Observance of the HSNO controls related to storage and the safety data sheet information that arises from the default controls are expected to adequately manage these risks. The resultant *risk* is thus considered **insignificant**.

**Commercial use** – spray drift. The use of SCAL 5188 W as a household insecticide is very unlikely to result in spray drift. It is therefore **very unlikely** that members of the general public would be adversely affected by spray drift. The *magnitude* of effects is considered **minimal** and any exposure would be episodic. The label instructions that arise from the default controls are expected to adequately manage these risks. The resultant *risk* is this considered

**insignificant**.

**Disposal** – Disposal of the undiluted substances may be required following a spillage, or for old or surplus stock held by an end user. It is improbable that a need to dispose of a significant amount of substance will arise. The potential for exposure would be through inappropriate handling of the substance during the disposal operation. This is **unlikely** to occur as very small amount of product is expected to spill from aerosol can. Furthermore, with the relevant HSNO controls in place the risks should be prevented or managed and it is **unlikely** that adverse effects to human health would occur. In the event of an exposure, the *magnitude* of effect is considered to be **minimal** due to the small number of persons expected to be involved, and the likely small volume of substance to be disposed. The resultant *risk* is thus considered **insignificant.**

The HSNO default controls are expected to adequately manage the risks associated with disposal.

**Summary**
Overall, the restricted locations of the storage and transport of SCAL 5188 W may pose a risk, However, it is considered that an adverse effect is **unlikely**, the *magnitude* would be *minimal* and therefore the overall *risk* is **insignificant**.

ENVIRONMENT

**The significant risk for SCAL 5188 W with respect to the environment are:**
**9.1A - aquatic ecotoxicant**
**9.4B – terrestrial invertebrate ecotoxicant**

**This is based on EPA assessment of reference products provided in this submission.**

**Relabelling** – Adverse environmental damage from the substance is **very unlikely** to occur as the product is packed into printed aerosol cans. No re-labelling is required.

**Transportation** – Product should be transported following the guidelines for transport of aerosol products. However, the possibility of human health effects occurring as a result of exposure from spillage is **unlikely** if the applicable HSNO controls are in place. Transport to the distributor/retailer is done by contract carriers who specialise in the transport of hazardous substances. Transport from the distributor/retailer to the end user is done by the provider who will be experienced in the transport of hazardous substances and the volumes transported at any one time are likely to be limited. The default HSNO controls are expected to adequately manage these risks. The resultant *risk* is thus considered **insignificant**.

In the event of a transport accident, drivers and emergency workers attending the spill should be trained in emergency management procedures. Hence the chance of significant exposure is **unlikely**. The default HSNO controls are expected to adequately manage these risks. The resultant *risk* is thus considered **insignificant**.

**Storage** – Accidental spillage may occur during storage at any time throughout the lifecycle. Accidents in storage could arise from careless forklift use, improper stacking of containers, or dropping of smaller containers during physical handling or other leaks. Improperly secured containers could allow access by persons who have no knowledge of the potential danger of the substance, especially children.

An adverse event is **unlikely** to occur during storage in commercial premises when the applicable HSNO controls are in place. Observance of the HSNO controls related to storage and the safety data sheet information that arises from the default controls are expected to adequately manage these risks. The resultant *risk* is thus considered **insignificant**.

**Commercial use** – spray drift. The use of SCAL 5188 W as a household insecticide is very unlikely to result in spray drift. It is therefore **very unlikely** that members of the general public would be adversely affected by spray drift. The *magnitude* of effects is considered **minimal** and any exposure would be episodic. The label instructions that arise from the default controls are expected to adequately manage these risks. The resultant *risk* is this considered **insignificant**.

**DISPOSAL -** Disposal of the undiluted substances may be required following a spillage, or for old or surplus stock held by an end user. It is improbable that a need to dispose of a significant amount of substance will arise. The potential for exposure would be through inappropriate handling of the substance during the disposal operation. This is **unlikely** to occur as very small amount of product is expected to spill from aerosol can. Furthermore, with the relevant HSNO controls in place the risks should be prevented or managed and it is **unlikely** that adverse effects to human health would occur. In the event of an exposure, the *magnitude* of effect is considered to be **minimal** due to the small number of persons expected to be involved, and the likely small volume of substance to be disposed. The resultant *risk* is thus considered **insignificant.**

The HSNO default controls are expected to adequately manage the risks associated with disposal.

## BENEFITS

The combination of the two active ingredients is unique and ensures good wasp control under a wider range of conditions as each active ingredient provides separate action on wasps. Prallethrin is a contact insecticide with knockdown effect while d-Phenothrin is an insecticide with contact action and has good kill effect.

### 7.3. Provide an assessment of any risks, costs and benefits which arise from the kaitiaki relationship of Māori and their culture to the environment

Please note that consultation with Māori may be appropriate for this application. Please refer to the EPA policy 'Engaging with Māori for applications to the EPA' which can be found on the EPA website (www.epa.govt.nz) or contact the EPA for advice.

An example of the issues to consider include whether the substance poses any risk to native or valued species, or waterways.

SCAL 5188 W is intended for control of wasps around domestic, commercial and industrial areas.

The risk to native flora and fauna associated from the use of SCAL 5188 W is limited. Although, wasp nests can be found in trees or other vegetation, the use of the product limited to small areas around structures and not in wider nature areas.

We therefore do not anticipate any adverse effect on Maori Heritage.

### 7.4. Provide an assessment of any risks, costs or benefits to New Zealand's international obligations

Please show if approving or declining the substance would have any impact upon New Zealand's international obligations

n/a

### 7.5. Provide information on the proposed management of the substance

Please outline how the risks of the substance will be managed. This may include default controls triggered by the hazardous property classification(s) and reference to Codes of Practice or to standard operating procedures that will be followed

SCAL 5188 W is a substance which will be handled, stored, transported and used by persons familiar with similar materials. Handled with care and according to the label, we consider to represent a low risk, both to humans and to the environment. It is our opinion that the warnings and precautions set out on the label, are adequate to eliminate or mitigate the slight hazard posed by the product.

The overall management of the substance in respect of transport, storage, application use and container disposal will be in compliance with the Code of Practice for the Management of Agrichemicals. [ NZS 8409:1999] Documentation to facilitate this will include the ready availability of the container label, Product Safety Card and Material Safety Data sheet.

### 7.6. Provide an overall evaluation of the combined impact of all of the risks, costs and benefits set out in sections 7.2, 7.3 and 7.4

Please express a view on the relative importance of the different risks, costs and benefits and how they should be brought together in making a decision

Sumitomo Chemical believes that the overall risk arising from SCAL 5188 W to society and the community, the economy, international obligations and Maori is insignificant. The risk to human health and the environment is insignificant to low with controls in place.

# 8. Pathway determination and rapid assessment

Under the HSNO Act, applications may be processed under different pathways, including a rapid assessment. The pathway for your application will be determined after its formal receipt, based on the data provided in this application form. If you would like your application to be considered for rapid assessment (as per the criteria below), we require you to complete the attached statutory declaration and provide a signed hard copy.

Please note that the EPA will not be able to proceed with the rapid assessment without the statutory declaration.

## 8.1. Rapid assessment

Under the HSNO Act, a hazardous substance may be approved under a rapid assessment if one of the three following options is satisfied. Please show the section that is relevant to your application.

| | |
|---|---|
| A substance having a similar composition and similar hazardous properties has been approved | ☒ Yes ☐ No<br>If Yes, please give the name of the reference substance:<br>**SCAL 5149 (HSR 101321)** |
| The substance has one or more hazardous properties and each has the least degree of hazard for that property; or | ☒ Yes ☐ No |
| The substance has been formulated so that one or more of its hazardous properties has a lesser degree of hazard than any substance that has been approved under the Act. | ☒ Yes ☐ No<br>If Yes, please give the name of the reference substance:<br>**SCAL 5149 (HSR 101321)** |

## 8.2. Statutory Declaration

I [redacted] being the applicant or authorised to do so on behalf of the applicant, verify that the information contained in this application for SCAL 5134 WBA and SCAL 5146 OBA is true and correct. I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Signa [redacted]

Declared at on this day of , 20 before me.

Witne [redacted]

Judy Gardner Barrister or Solicitor of the High Court of New Zealand

[or Justice of the Peace, Notary Public, or other person authorised to take a statutory declaration]

# 9. Checklist

This checklist is to be completed by the applicant

| Application | Comments/justifications |
|---|---|
| All sections of the application form completed or you have requested an information waiver under section 59 of the HSNO Act | ☒ Yes ☐ No<br>(If No, please discuss with an advisor to enable your application to be further processed) |
| Confidential data as part of the confidential form.<br>Please note the EPA strongly encourages applicants to provide as much information as possible in the main body of the application form unless there is a genuine argument that it is commercially sensitive. | ☒ Yes ☐ No |
| Supplementary optional information attached: | |
| • Copies of additional references | ☐ Yes ☒ No |
| • Letter(s) of access | ☐ Yes ☒ No |
| • Relevant correspondence | ☐ Yes ☒ No |
| • Draft label | ☒ Yes ☐ No |
| • Draft Safety Data Sheet (SDS) | ☒ Yes ☐ No |

| Administration | |
|---|---|
| Are you an approved EPA customer? | ☒ Yes ☐ No<br>If yes are you an:<br>Applicant: ☒<br>Agent: ☐ |
| If you are not an approved customer, payment of fee will be by: | |
| • Direct credit made to the EPA bank account (preferred method of payment)<br>Date of direct credit: | ☐ Yes ☐ No<br>☒ Payment to follow |
| • Cheque for application fee enclosed | ☐ Yes ☐ No<br>☐ Payment to follow |
| Electronic signed copy of application e-mailed to the EPA | ☒ Yes |

| | |
|---|---|
| Physical copy of signed statutory declaration sent to the EPA, (rapid assessment only) | ☐ Yes |

## Signature of applicant or person authorised to sign on behalf of applicant

☐ I am making this application, or am authorised to sign on behalf of the applicant or applicant organisation.

☒ I have completed this application to the best of my ability and, as far as I am aware, the information I have provided in this application form is correct.

**Signature** **Date** 2/1/2019

## Request for information waiver under section 59 of the HSNO Act

☐ I request for the Authority to waive any legislative information requirements (i.e. concerning the information that has been supplied in my application) that my application does not meet (tick if applicable).

Please list below which section(s) of this form are relevant to the information waiver request: