Environmental Protection Authority
Te Mana Rauhī Taiao

New Zealand Government

Summary of HS reassessment application APP203974 and submission guidance

September 2021

Application details	
Date submissions open:	30 September 2021
Date submissions close:	26 November 2021
Application number:	APP203974
Purpose:	To reassess hydrogen cyanamide
Applicant:	Environmental Protection Authority
Application lead:	Caroline Carter

Purpose of this document

On 20 September 2021, the Environmental Protection Authority (EPA) formally received an application for the reassessment of hydrogen cyanamide. This reassessment application is being publicly notified to enable the public to comment and to put all relevant information before the Decision-making Committee.

The purpose of this document is to summarise the application and to provide guidance on the submission process. It includes two parts:

Application summary

This part summarises the information provided in the application only. The EPA human health and environmental risk assessments, included in Appendix B of the application, may be revised at a later date using information from any submissions. The resulting proposals which are based on a weighing up of the risks and benefits may also be revised following the submission period.

Submission process

This part provides guidance on the submission process. The EPA encourages all submissions. The submission period for this application starts on **30 September 2021** and ends on **Friday 26 November 2021** at **5.00 pm**.

In a submission you can provide information, make comments, raise issues or indicate support. In this way, you contribute to the EPA decision-making process on specific applications. We are particularly interested in hearing from you on the following matters:

- Adverse effects, especially adverse effects not identified in the reassessment application[1]
- Positive effects, especially positive effects not identified in the reassessment application[2]

Further information on making a submission is available from the EPA website using the link below:

How to make a submission | EPA

If you have any questions:

You can contact the EPA with any questions on the application and/or submission process. The Application lead, Caroline Carter, can be contacted by e-mail (Reassessments@epa.govt.nz) or by phone (+64 4 474 5409).

[1] Adverse effects can include any risks and costs associated with continued use of the substance
[2] Positive effects can include any benefits associated with continued use of the substance

Application summary

This is an application to reassess hydrogen cyanamide and its formulations.

Grounds to reassess hydrogen cyanamide were established in September 2019 (application reference APP203865). Grounds were established based on availability of new information on the effects of hydrogen cyanamide. The new information included the European Food Safety Authority (EFSA) review and associated human health and environmental risk assessments, and the subsequent EU decision discontinuing use of hydrogen cyanamide.

The reassessment application and appendices are available on the EPA website using the link below:

https://www.epa.govt.nz/database-search/hsno-application-register/view/APP203974

The EPA is notifying the application and inviting the public to make written submissions on the content of the application and on our initial proposals.

Based on the currently available information, the positive effects (benefits) do not significantly outweigh the adverse effects (risks). Therefore the EPA's preliminary proposal is that the hydrogen cyanamide approvals are revoked. A medium-term phase-out period of five years is proposed to allow a smooth transition to alternative methods or products.

The EPA has identified control options that could mitigate risks in some areas around current use patterns and proposes that these controls are applied during the interim phase-out period. These include imposing application rate and timing restrictions, allowing use only under certain wind conditions, imposing buffer zones to protect bystanders, the aquatic environment, and non-target plants, adding labelling requirements, and adding qualification requirements. Feedback on the proposed controls is welcomed.

If the hydrogen cyanamide approvals are retained, WorkSafe will consider whether to implement further risk mitigation measures to protect the health of people in workplaces.

Our proposals are preliminary and are based on the information available at this time. Changes may be made if further data or information is provided in submissions. There are several areas of uncertainty where we would like further input, particularly around our selection of human health risk assessment input values, effectiveness of lower application rates, practical implications of closed cab application and closed system mixing and loading, occupational exposure monitoring data, crop-specific spray drift curve information, bird behaviour and data to refine risks to birds, efficacy of alternatives and recent developments. These topics are highlighted in question boxes in the reassessment Application Report.

For full details of the reassessment and the proposals, please refer to the application documents.

Adverse effects assessment

Our adverse effects (risk) assessment (presented in detail in Appendix B of the application form) was based on the evidence obtained in the call for information, information available from overseas regulators' reports, and other readily available information sources gathered in the compilation of this application.

The human health risk assessment identified unmanageable risks to operators associated with the use of hydrogen cyanamide.

The environmental risk assessment identified acute risks to birds associated with the use of hydrogen cyanamide which cannot be mitigated.

The Māori impact assessment (presented in detail in Appendix C of the application form) identified risks to the relationship of Māori and their culture and traditions with their environment and taonga, including culturally significant species, resources, and places, and the customary values, practices and uses associated with these taonga. Adverse effects on cultural and social well-being in terms of protecting cultural values, health and welfare, and environmental quality were also identified.

Please let us know if there are additional adverse effects that we should be aware of or additional information related to the described effects.

When identifying adverse effects, it is important that you provide us with reasons as to:

- What other adverse effects are associated with hydrogen cyanamide-containing substances?
- How likely these adverse effects are and their potential scale?
- How you think the adverse effects could happen (ie the series of events that would have to happen for the adverse effects to occur)?
- Options and proposals for managing the adverse effects.
- Any uncertainty you have on the scope of the information we will use to assess the adverse effects.

Positive effects assessment

Our positive effects (benefits) assessment (presented in detail in Appendix D of the application form) was produced by Sapere Research Group. It is based on evidence obtained in the call for information, interviews with industry groups, and other readily available information sources gathered in the compilation of this application.

The benefits assessment identified the advantages of hydrogen cyanamide use and estimates the value that it contributes to New Zealand's GDP.

The Māori impact assessment identified that continued hydrogen cyanamide use is likely to support the ability and capacity of Māori to enhance their economic and social development, well-being in terms of prosperity, livelihoods, and lifestyles.

Please let us know if there are additional positive/beneficial effects that we should be aware of or additional information related to the described effects.

When identifying positive/beneficial effects, it is important that you provide us with information on:

- What other positive effects are associated with hydrogen cyanamide-containing substances?
- How likely these positive/beneficial effects are and their potential scale?
- How you think the positive/beneficial effects could happen (ie the series of events that would have to happen for the positive/beneficial effects to occur)?
- Options and proposals for ensuring the positive/beneficial effects occur.
- Any uncertainty you have on the scope of the information used to assess the positive/beneficial effects.

Making a submission

What is a submission?

We encourage anyone to make a submission, regardless of how much detail you can put into it. In your submission, you can also request to speak at a hearing if you would like to strengthen your views in person before the Decision-making Committee. Further information on making a submission is available from the EPA website using the link below:

How to make a submission | EPA

Submissions are publicly available and will be displayed on the application web page after submissions close. If you have confidential information you wish to provide, please contact the Application lead, Caroline Carter, by e-mail (Reassessments@epa.govt.nz) or by phone (+64 4 474 5409).

How to make a submission

The EPA website provides guidance on how to make a submission. This is preferably done via an online submission using the link below:

Complete the online submission form

Alternatively, you can send us a letter or email or use the general EPA HSNO application submission form. This is available from the EPA website using the link below:

https://www.epa.govt.nz/assets/Uploads/Documents/New-Organisms/Forms/Submission-form-for-HSNO-applications.docx

What happens after you make a submission?

When the submission period closes, all submissions will be summarised and made available to the Decision-making Committee together with the EPA Update Report. A date will be set for the Decision-making Committee to consider the application. A hearing will be held if any interested party requests it.

If there is a hearing, you are entitled to bring witnesses who may speak to your submission at a hearing. If you choose this option, you should provide the EPA with a list of the witnesses, their areas of expertise, and the elements of the submission or application they will talk to. You are also entitled to speak at the hearing in one of the three official languages of New Zealand: English, Māori or New Zealand Sign Language. Please advise the Application lead at least two weeks prior the hearing in order for the EPA to organise for an interpreter.

At least two weeks prior to the hearing, both the applicant and submitter(s) need to provide the EPA with copies of any information they intend to present at the hearing.

Following the hearing, a decision will be made by the Decision-making Committee at the end of their consideration period. This will be made public on the EPA website.