



DECISION

29 July 2020

Summary

Substance	Mortein Powerguard All in One Insect Killer
Application code	APP204017
Application type	Determination of a substance under Section 26 of the Hazardous Substances and New Organisms Act 1996 ("the Act")
Applicant	RB (Hygiene Home) New Zealand Limited
Application purpose	To determine if Mortein Powerguard All in One Insect Killer is hazardous
Date application formally received	7 May 2020
Consideration date	29 July 2020
Considered by	The Acting Group Manager Hazardous Substances Applications and Reassessments ¹ of the Hazardous Substances and New Organisms Group of the Environmental Protection Authority ("the EPA")
Decision	Status: Hazardous Classification: Unable to be determined Approval status: Does not match an existing HSNO approval

¹ The Acting Group Manager Hazardous Substances Applications and Reassessments of the Hazardous Substances and New Organisms Group of the EPA has made the decision on this application under delegated authority in accordance with section 19 of the Act.

1. Process and notification

Application receipt

1.1. The application was formally received on 7 May 2020 pursuant to section 26 of the Act.

Legislative criteria

1.2. Pursuant to section 26(3) of the Act, the EPA may determine one or more of the following:

- (a) whether or not Mortein Powerguard All in One Insect Killer is a hazardous substance:
- (b) the classification of the substance (if hazardous):
- (c) the approvals that apply or are required to be obtained.

1.3. In considering this application for Mortein Powerguard All in One Insect Killer under section 26, the relevant sections of the Act were followed. This included consideration of the matters set out in Part 2 of the Act. In accordance with section 7, the EPA took into account the need for caution in managing adverse effects where there is scientific and technical uncertainty about those effects. No other matters in Part 2 of the Act were considered material to the assessment required under section 26, in this instance.

Information available for consideration

1.4. The EPA is required to have regard to information held by government departments and Crown entities. The Ministry of Health was identified as the only government organisation that could reasonably be expected to hold information relevant to the applications. This organisation was advised of the application on 7 May 2020 and requested to provide any relevant information. No information was provided.

1.5. The EPA is also required to have regard to any information provided by the applicant, and information held by the EPA. After receiving the application, the EPA decided that it did not yet have sufficient information relating to all of the matters material to the decision under section 26(3). As such, on 14 May 2020 the EPA requested further information from the applicant under section 52 of the Act. On 29 May 2020 the applicant provided some information; this information was assessed as part of the application.

1.6. Therefore, the information available for consideration therefore comprised:

- the application form
- the confidential appendix to the application
- information held by the EPA
- additional information submitted by the applicant on 29 May 2020 in response to a request under section 52 of the Act by the EPA.

2. Determination of Mortein Powerguard All in One Insect Killer

Whether the substance is hazardous

- 2.1. It has been determined that the intrinsic properties of Mortein Powerguard All in One Insect Killer are such that one or more of the thresholds specified in the Hazardous Substance (Minimum Degrees of Hazard) Notice 2017 have been exceeded. Therefore, Mortein Powerguard All in One Insect Killer is determined to be hazardous for the purposes of the Act.

Hazard classification

- 2.2. There is insufficient information available to determine the full hazard classification of Mortein Powerguard All in One Insect Killer.
- 2.3. For information purposes only, the classifications that have been identified are shown in Table 1. This does not constitute a determination of the substance's hazard classification, which cannot be determined based on the information available.

Table 1 Identified hazard classifications of Mortein Powerguard All in One Insect Killer

Hazard property	EPA classification
Flammability / combustibility	2.1.2A
Skin corrosivity/irritancy	6.3A
Eye corrosivity/irritancy	6.4A
Contact sensitisation	6.5B
Aquatic ecotoxicity	9.1A
Invertebrate ecotoxicity	9.4B

- 2.4. The hazard classes and subclasses for which insufficient data are available to the EPA to classify the substance are shown in Table 2.

Table 2: Hazard classes and subclasses for which insufficient information is available to classify Mortein Powerguard All in One Insect Killer

Hazard property	EPA classification
Explosiveness (Class 1)	ND
Oxidiser (Class 5)	ND
Metal corrosivity (Subclass 8.1)	ND
Acute toxicity (Subclass 6.1, dermal and aspiration)	ND
Respiratory sensitisation (Subclass 6.5A)	ND
Mutagenicity (Subclass 6.6)	ND
Carcinogenicity (Subclass 6.7)	ND
Reproductive/ developmental toxicity (Subclasses 6.8)	ND
Target organ systemic toxicity (Subclass 6.9)	ND
Soil ecotoxicity (Subclass 9.2)	ND

Hazard property	EPA classification
Vertebrate ecotoxicity (Subclass 9.3)	ND

ND: Not determined. Data were unavailable for one or more components.

- 2.5. The EPA would need further information relating to the hazard properties listed in Table 2 in order to issue a determination of the classification of Mortein Powerguard All in One Insect Killer under section 26(3)(b).

Approvals that apply or are required to be obtained

- 2.6. The Act requires the importation or manufacture of a hazardous substance to be in accordance with an approval.
- 2.7. There is sufficient information to determine that no current approvals under Part 5 of the Act apply to Mortein Powerguard All in One Insect Killer.
- 2.8. The EPA determined that grounds exist under section 62(2) of the Act for the reassessment of permethrin (APP203683). Therefore, any substances using permethrin may be impacted by any subsequent reassessment of permethrin.



Miriam Robertson

Date: 4 August 2020

**Acting Group Manager Hazardous Substances
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