



DECISION

5 August 2020

Summary

Substance	Venacity
Application code	APP204019
Application type	Determination of a substance under Section 26 of the Hazardous Substances and New Organisms Act 1996 ("the Act")
Applicant	Adria New Zealand Limited
Application purpose	To determine if Venacity is hazardous
Date application formally received	7 April 2020
Consideration date	15 August 2020 – 31 August 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 April 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 Venacity 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 Venacity 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 Department of Conservation and the Ministry for Primary Industries (ACVM group) were identified as the only government organisations that could reasonably be expected to hold information relevant to the applications. These organisations were advised of the application on 15 April 2020 and requested to provide any relevant information. No information was provided by these organisations.

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 6 May 2020, the EPA requested further information from the applicant under section 52 of the Act. On 26 May 2020 the applicant provided some of the requested 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 26 May 2020 in response to a request under section 52 of the Act by the EPA.

2. Determination of Venacity

Whether the substance is hazardous

- 2.1. It has been determined that the intrinsic properties of Venacity are such that one or more of the thresholds specified in the Hazardous Substance (Minimum Degrees of Hazard) Notice 2017 have been exceeded. Therefore, Venacity 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 Venacity.
- 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 Venacity

Hazard property	EPA classification
Aquatic ecotoxicity	9.1A
Invertebrate ecotoxicity	9.4C

- 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 Venacity

Hazard property	EPA classification
Flammability / combustibility (Class 3)	ND
Oxidiser (Class 5)	ND
Metal corrosivity (Subclass 8.1)	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
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 Venacity 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 Venacity.



Miriam Robertson

Date: 5 August 2020

**Acting Group Manager, Hazardous Substance
Applications and Reassessments, EPA**