

# Decision

<b>Date</b>	7 September 2020
<b>Application number</b>	APP204097
<b>Application type</b>	Determination of whether or not any organism is a new organism under section 26 of the Hazardous Substances and New Organisms Act 1996
<b>Applicant</b>	Ministry for Primary Industries
<b>Date Application received</b>	26 August 2020
<b>Consideration date</b>	07 September 2020
<b>Considered by</b>	A decision-making committee of the Environmental Protection Authority (the Committee) <sup>1</sup> <ul style="list-style-type: none"> <li>• Mr Tipene Wilson (Chair)</li> <li>• Dr Ngaire Phillips</li> </ul>
<b>Purpose of the application</b>	To determine if <i>Alocasia clypeolata</i> , <i>Philodendron pedatum</i> , <i>Philodendron schottii</i> , <i>Philodendron squamiferum</i> and <i>Pilea peperomioides</i> are new organisms under section 26 of the HSNO Act

## Decision

The Committee determined under section 26 of the Hazardous Substances and New Organisms Act 1996 (the Act) that *Alocasia clypeolata*, *Philodendron pedatum*, *P. schottii*, *P. squamiferum* and *Pilea peperomioides* are new organisms for the purpose of the Act.

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<sup>1</sup> The Committee referred to in this decision is the subcommittee that has made the decision on this application under delegated authority in accordance with section 18A of the Act.

## Application and consideration process

1. The application was formally received on 26 August 2020.
2. In accordance with section 26(5)(b) of the Act, the Department of Conservation (DOC) was identified by the EPA staff as the most likely government department or Crown entity to hold further relevant information regarding the five plant species.
3. The EPA considered that, for the purposes of section 26(5)(b) of the Act, no other relevant information would be held by other government departments or Crown entities.
4. The information that the Committee took into consideration included:
  - the application;
  - information and comment provided by DOC;
  - the Environmental Protection Authority (EPA) staff advice report.
5. The determination was made in accordance with section 26 of the Act. Determinations of new organism status under section 26 of the Act do not require public notification.

## Reasons for the decision

6. For an organism to be determined to be a new organism under section 26 of the Act, the organism must be shown to meet at least one of the criteria in section 2A of the Act.
7. The Committee noted that the following section 2A(1) Act criteria were not applicable to these determinations as the species;
  - have not been prescribed as risk species (section 2A(1)(b));
  - have not been approved to be held in containment or released with controls (sections 2A(1)(c), (ca) and (cb));
  - are not genetically modified organisms (section 2A(1) (d)); and
  - have not been eradicated from New Zealand (section 2A(1)(e)).
8. The Committee evaluated the available information regarding *A. clypeolata*, *Philodendron pedatum*, *P. schottii*, *P. squamiferum* and *Pilea peperomioides* against the section 2A(1)(a) criterion: a new organism is “an organism belonging to a species that was not present in New Zealand immediately before 29 July 1998”.
9. The Committee noted the absence of any records of the presence of the plants prior to 29 July 1998. Furthermore, the Committee noted that the growing interest in tropical houseplants is recent and no information regarding the presence of these species can be found before the Act came into force.
10. The Committee noted that DOC agrees with MPI’s assertion that *A. clypeolata*, *Philodendron pedatum*, *P. schottii*, *P. squamiferum* and *Pilea peperomioides* are new organisms.
11. The Committee considered that *A. clypeolata*, *Philodendron pedatum*, *P. schottii*, *P. squamiferum* and *Pilea peperomioides* arrived in New Zealand after 29 July 1998. The Committee considered that the five plant species are highly likely to have been unlawfully imported after the Act came into force.

## Conclusion

12. Taking into account all the available information, the Committee considered that *Alocasia clypeolata*, *Philodendron pedatum*, *P. schottii*, *P. squamiferum* and *Pilea peperomioides* meet the definition of a new organism as defined in section 2A(1)(a) of the Act, as these plant species have not been shown to be present in New Zealand prior to 29 July 1998.
13. In accordance with section 26 of the Act, and having regard to the relevant information, the Committee determined that *Alocasia clypeolata*, *Philodendron pedatum*, *Philodendron schottii*, *Philodendron squamiferum* and *Pilea peperomioides* are new organisms for the purpose of the Act.



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7 September 2020

**Mr Tipene Wilson**

**Date**

**Chair, Decision-making Committee  
Environmental Protection Authority**