



## APPROVAL

Decided: 30 September 2021

### Summary

#### Approval Details

Substance Name	<b>MegaYacht Imperial AF</b>
Approval code	<b>HSR101508</b>
Hazard classification	flammable liquids Category 3 acute oral toxicity Category 4 acute inhalation toxicity Category 4 skin irritation Category 2 eye irritation Category 2 skin sensitisation Category 1 carcinogenicity Category 2 reproductive toxicity Category 2 specific target organ toxicity – repeated exposure Category 2 hazardous to the aquatic environment acute Category 1 hazardous to the aquatic environment chronic Category 1
Active Ingredient(s)	Cuprous oxide at 532 g/L, copper pyrithione at 24 g/L and zineb at 66 g/L

#### Latest Process Details

Application code	APP204108
Application type	To import or manufacture for release any hazardous substance under Section 28 of the Hazardous Substances and New Organisms (HSNO) Act 1996 (“the Act”)

Purpose of the application	To import or manufacture MegaYacht Imperial AF for release
Considered by	The General Manager <sup>1</sup> of the Hazardous Substances and New Organisms group of the Environmental Protection Authority (“the EPA”)
Decision	<b>Approved</b> with controls

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<sup>1</sup> The General Manager of the HSNO group of the EPA has made the decision on this application under delegated authority in accordance with section 19 of the Act.

## Decision

1. I, in accordance with section 29 of the Act, and taking into account the relevant matters in Part 2 of the Act, considered the application to import or manufacture **MegaYacht Imperial AF** for release.
2. For the reasons set out in the decision dated 30 September 2021, I approved this substance.
3. The GHS classification as listed in the summary table above, and the controls set out in Appendix A apply to this substance.



*Signed by:* **Dr Christopher Hill**

**Date: 30 September 2021**

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**General Manager, Hazardous Substances and  
New Organisms, EPA**

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## Appendix A: Controls applying to HSR101508

### Hazardous substances and new organisms (HSNO) default controls

Control Code	EPA Notice	Notice/Part description
LAB	Labelling Notice 2017	<a href="#">Requirements for labelling of hazardous substances</a>
PKG	Packaging Notice 2017	<a href="#">Requirements for packaging of hazardous substances</a>
SDS	Safety Data Sheets Notice 2017	<a href="#">Requirements for safety data sheets for hazardous substances</a>
DIS	Disposal Notice 2017	<a href="#">Requirements for disposing hazardous substances</a>
HPC-1	Hazardous Property Controls Notice 2017 Part 1	<a href="#">Preliminary provisions</a>
HPC-3	Hazardous Property Controls Notice 2017 Part 3	<a href="#">Requirements for hazardous substances in a place other than a workplace</a>
HPC-4A	Hazardous Property Controls Notice 2017 Part 4A	<a href="#">Substances that are hazardous to the environment: Site and storage controls</a>
HPC-4B	Hazardous Property Controls Notice 2017 Part 4B	<a href="#">Use of substances that are hazardous to the environment</a>

## HSNO additional controls and modifications to controls

Control Description	Varied/ Additional Control	Control
Label	Variation to Labelling Notice	<p>(1) The substance label must include the following statements, or words to the same effect:</p> <ul style="list-style-type: none"> <li>• When applying this substance by spraying, you must sufficiently enclose the area to ensure that the substance is not deposited on off-target sites and has no adverse effects on bystanders;</li> <li>• You must ensure that waste generated from maintenance activities does not enter the environment.</li> </ul> <p>(2) A person must not supply this substance to any other person unless the substance label shows the information required by the label control statements.</p>
Use restriction	Additional control	No person may use this substance for any purpose other than as an antifouling paint to prevent, by the slow release of biocides, the build-up of aquatic organisms on the hulls of vessels or other surfaces in contact with water.
Antifouling paint – Personal protective equipment	Additional control	Where this substance is applied in a place other than a workplace, any person who handles the substance must use protective clothing or equipment that is designed, constructed, and operated to ensure that the person does not come into contact with or inhale the substance.
Antifouling paint – Collection of substances from maintenance activities	Additional control	<p>(1) Any person who removes any antifouling paint coating from the hull of a boat must ensure that waste containing antifouling paint residue is collected.</p> <p>(2) All collected waste, as referred to in subclause (1) must be disposed of in accordance with the Hazardous Substances (Disposal) Notice 2017.</p>
Antifouling paint – Controlled work area and	Additional control	Where this substance is applied in a place other than a workplace:

Control Description	Varied/ Additional Control	Control
signage requirements outside of workplaces		<p>Controlled work area –</p> <ol style="list-style-type: none"> <li>(1) Any person applying the substance must ensure that application of the substance is carried out in a controlled work area.</li> <li>(2) The controlled work area, as referred to in subclause (1) is a designated area in which antifouling paints are applied, using a method and located such that off-target deposition of the substance, including onto bystanders, is avoided by taking all practicable steps.</li> <li>(3) Any person applying the substance in a controlled work area must avoid off-target deposition of the substance. To avoid doubt, this requirement includes avoiding off-target deposition of the substance onto persons outside of, but within the immediate vicinity of, the controlled work area.</li> </ol> <p>Signage –</p> <ol style="list-style-type: none"> <li>(4) Any person applying the substance must ensure that signs are placed at every point of entrance into the controlled work area. Signs must be posted from the start of application, until the end of the application.</li> <li>(5) Signs erected in accordance with subclause (4) must— <ol style="list-style-type: none"> <li>a. warn that an application is being carried out using a substance that is toxic to humans;</li> <li>b. identify the person in charge of the application;</li> <li>c. state that entry into the controlled work area is not permitted unless personal protective equipment (PPE) is worn by the person entering the controlled work area; and</li> <li>d. comply with the requirements for comprehensibility and clarity of Regulation 2.5, subclauses (2)(c)(i-iv) of the Health and</li> </ol> </li> </ol>

Control Description	Varied/ Additional Control	Control
		<p>Safety at Work (Hazardous Substances) Regulations 2017.</p> <p>(6) The conditions of (4) and (5) do not apply when the substance is applied using non-dispersive methods.</p>
Impurity	Additional control	<p>The following limits are set for the cuprous oxide component of this substance:</p> <ul style="list-style-type: none"> <li>• The composition of the active ingredient, cuprous oxide, should have a minimum purity of 900 g/kg. Cuprous oxide must contain a minimum total copper content of no less than 800 g/kg.</li> <li>• Arsenic (As): maximum <math>0.2 \times X = \text{mg/kg}</math>. Where X is the copper content (g/kg);</li> <li>• Lead (Pb): maximum <math>5 \times X = \text{mg/kg}</math>. Where X is the copper content (g/kg);</li> <li>• Cadmium (Cd): maximum <math>0.2 \times X = \text{mg/kg}</math>. Where X is the copper content (g/kg).</li> <li>• Copper other than cuprous oxide: <ul style="list-style-type: none"> <li>○ Metallic copper: maximum <math>50 \times X = \text{mg/kg}</math>. Where X is the copper content (g/kg);</li> <li>○ Cupric copper: maximum <math>100 \times X = \text{mg/kg}</math>. Where X is the copper content (g/kg);</li> <li>○ Copper soluble in water: maximum <math>25 \times X = \text{mg/kg}</math>. Where X is the copper content (g/kg).</li> </ul> </li> </ul> <p>The following limits are set for the zineb component of this substance:</p> <ul style="list-style-type: none"> <li>• Ethylene thiourea (ETU): maximum 3 g/kg.</li> </ul>

## Health and safety at work (HSW) requirements

Advisory Note: These requirements are not set for the substance under this approval but apply in their own right under the HSW (Hazardous Substances) Regulations 2017 according to the classification of the substance. They are listed here for information purposes only.

Code	Regulation Part	Description
HSW1	Part 1	<a href="#">Application</a>
HSW2	Part 2	<a href="#">Labelling, signage, safety data sheets, and packaging</a>
HSW3	Part 3	<a href="#">General duties relating to risk management</a>
HSW4	Part 4	<a href="#">Certified handlers and supervision and training of workers</a>
HSW5	Part 5	<a href="#">Emergency management</a>
HSW8	Part 8	<a href="#">Controls applying to all class 1 to 5 substances</a>
HSW10	Part 10	<a href="#">Class 2, 3, and 4 substances</a>
HSW11	Part 11	<a href="#">Controls relating to adverse effects of unintended ignition of class 2 and 3.1 substances</a>
HSW13	Part 13	<a href="#">Class 6 and 8 substances</a>
HSW16	Part 16	<a href="#">Tank wagons and transportable containers</a>
HSW17	Part 17	<a href="#">Stationary container systems</a>

## Appendix B: Regulatory History

Application Code	Application Type	Date Decided	Comment
APP204108	To import or manufacture for release any hazardous substance under Section 28 of the Hazardous Substances and New Organisms (HSNO) Act 1996 (“the Act”)	30 September 2021	This is the first approval process for this substance under the Act.