

Your submission to APP204244 - reassessment of tebuconazole and propiconazole

[REDACTED], Bayer New Zealand

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Submission number: 127812
Reference number: 3

Reference no: 3

Clause

1. What is your position on the proposals set out in the reassessment application? Please outline your reasons in the text box below.

Position

I neither support or oppose the application

Notes

Clause

2. All submissions are taken into account by the decision makers. In addition, please indicate whether or not you also wish to speak at a hearing if one is held.

Position

Yes I wish to speak about my submission at the hearing

Notes

You have elected to withhold your personal details from publication.

Supporting documents from your Submission

Submission-form-for-HSNO-applications_TBZ_Hazard..

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Submission form: For Hazardous Substances and New Organisms applications

Submission details

What application are you submitting on?: APP204244

Organisation or submitter name: Bayer New Zealand

Contact person (for organisations only): [REDACTED]

Postal address (optional): Click or tap here to enter text.

City/Region (optional): Click or tap here to enter text.

Telephone number: [REDACTED]

Email: [REDACTED]@Bayer.com

Privacy statement

The EPA is collecting your personal information for the purpose of administering this application under the Hazardous Substances and New Organisms Act and will use the information you provide in this form to contact you in relation to the application. We will store your personal information securely. Your submission and name will be made publicly available on our website, but your personal contact details will not be disclosed. You have the right to access the personal information we hold about you and to ask for it to be corrected if it is wrong. If you would like to access your personal information, or have it corrected, please contact us at info@epa.govt.nz.

Confidential details

The Official Information Act 1982 (OIA) applies to all information held by the EPA (subject to section 55 of the Hazardous Substances and New Organisms Act 1996), and information may be released under the OIA unless there are grounds to withhold it. If you consider any part of your submission is confidential, please clearly label it as such and include the reasons why you think the information is confidential (eg, you may consider some information to be commercially sensitive). Further information on the OIA is at www.ombudsman.parliament.nz

Your submission

What is your view on what is proposed in the application form?

- I support the application
- I oppose the application
- I neither support or oppose the application

The reasons for making my submission are¹: *(further information can be supplied with your submission, see footnote).*

Introduction

Bayer New Zealand support the specific proposed hazard classifications changes to products containing tebuconazole as outlined on pages 10 and 11 of the application form. Products containing tebuconazole are important tools to help farmers and growers produce food and manage existing and new biosecurity threats and it is important that the EPA classification system is up to date and consistent across approvals.

Looking at specific approvals we are, however, unclear about the rationale behind some of the proposed changes, as no justification has been provided by the EPA. We cannot, therefore, currently fully support the proposals and request that the EPA provide more detail about the following approvals.

HSR100943 – Raxil Ultra

No rationale has been provided as to why the skin sensitisation classification Category 1 is proposed to be added and this contradicts Appendix 3 of the application which states that tebuconazole should not be classified as a skin sensitiser. Information previously provided to the EPA, as part of APP202119 demonstrated that the formulated product had no skin sensitising potential. If required we can provide this information to the EPA again.

HSR000520 – Raxil

¹ Further information can be supplied with your submission. If you are sending this submission electronically, please attach one or more files in any standard file format.

No rationale has been provided as to why the EPA are proposing to add skin corrosion Category 1B. Appendix 3 of the application makes no mention of skin corrosion and states that “*tebuconazole is not classified as a skin irritant*”. This proposed classification does not appear to be warranted.

HSR007887 – Folicur WG

No rationale has been provided by the EPA as to why the classification “*Hazardous to terrestrial invertebrates*” has been proposed and this contradicts Appendix 3 of the application which states that tebuconazole is not toxic to bees.

Bayer have ecotoxicity data on this formulation which shows it is not toxic to bees. We are happy to provide this to the EPA but note that bee toxicity is not the subject of this review. We also are unsure how the EPA have determined that adding this classification would not result in any change to controls. Should this change occur we would assume that controls in the HPC and labelling notices would apply.

I wish for the EPA to make the following decision:

Bayer New Zealand would like the EPA to make the proposed hazard classification changes to products containing tebuconazole as outlined on pages 10 and 11 of the EPA application form, but would like more detail provided about the proposals for the approvals we have questioned above. We do not support proposed hazard classifications changes when no rationale has been provided for the changes.

We appreciate the proposal by the EPA for there to be a 12 month implementation period, but feel that a 24 month implementation period would be more practical and provide industry with more time to comply, avoiding costly relabelling. Given current and future supply chain issues caused by the COVID pandemic any extra administrative changes must be properly managed to avoid risks to food production or biosecurity.

All submissions are taken into account by the decision makers. In addition, please indicate whether or not you also wish to speak at a hearing if one is held.


I wish to be heard in support of my submission (this means that you can present your submission to the DMC at the hearing but does not allow you to introduce new information at the hearing)

I do not wish to be heard in support of my submission (this means that you cannot speak at the hearing)

If neither box is ticked, it will be assumed you do not want to appear at a hearing.

Send your completed form

You can send us the completed form by either post or email.

Post	Email
 Environmental Protection Authority, Private Bag 63002, Wellington 6140	 submissions@epa.govt.nz