

ENVIRONMENTAL RISK MANAGEMENT AUTHORITY DECISION

29 March 2011

Application code:	ERMA200783
Application type:	Importation or manufacture of a hazardous substance for release under section 28 of the Hazardous Substances and New Organisms Act 1996 (“the Act”)
Application sub-type:	Section 28A(2)(c) – reduced hazard
Applicant:	Orion Crop Protection Limited
Purpose of the application:	To import or manufacture OCP1004, containing triclopyr as the active ingredient, as a herbicide for use on turf.
Date application received:	31 January 2011
Consideration date:	28 March 2011
Considered by:	Rob Forlong (Chief Executive, ERMA New Zealand).

1 Summary of decision

- 1.1 The import or manufacture of OCP1004 for release **is approved** with the controls as set out in Appendix 1. This approval has been given in accordance with the relevant provisions of the Act, the relevant HSNO Regulations, and the HSNO (Methodology) Order 1998 (“the Methodology”), based on the substance being formulated so that 1 or more of its hazardous properties has a lesser degree of hazard than a substance approved under the Act.
- 1.2 The substance has been given the following unique identifier for the ERMA New Zealand Hazardous Substances Register:

OCP1004

2 Legislative criteria for the application

- 2.1 Unless otherwise stated, references to section numbers in this decision refer to sections of the Act. The application was lodged pursuant to section 28. The decision was determined in accordance with section 28A(2)(c), taking into account the requirements of that section and matters specified under Part II of the Act.
- 2.2 Unless otherwise stated, references to clauses in this decision refer to clauses of the Methodology. Consideration of the application followed the relevant provisions of the Methodology.

3 Application process

- 3.1 The purpose of this application is to gain approval to import or manufacture OCP1004 as a pesticide.
- 3.2 The application was formally received on 31 January 2011.
- 3.2.1 The application timeframe was extended by two working days as the result of a request for further information under section 52(1).
- 3.2.2 The application timeframe was extended by another 28 working days as the result of an additional request for further information under section 52(1).
- 3.3 The Department of Labour Workplace Group and the Agricultural Compounds & Veterinary Medicines Group (ACVMG) of the New Zealand Food Safety Authority (NZFSA) were advised of the application (clause 2(2)(e)).
- 3.3.1 No responses were received.
- 3.4 Evaluation of the application was undertaken by the ERMA New Zealand project team which comprised the following staff members:
- | | |
|----------------|---------------------------------------|
| Margaret Keane | Advisor (Hazardous Substances) |
| Jim Waters | Senior Advisor (Hazardous Substances) |
| Haydn Murdoch | Advisor (Hazardous Substances) |
- 3.5 The application was considered by the Chief Executive of ERMA New Zealand as provided for by a delegation from the Environmental Risk Management Authority (“the Authority”) under section 19(2)(d).

4 Consideration

Sequence of the consideration

- 4.1 Orion Crop Protection Limited seeks approval, under section 28, to import or manufacture OCP1004 for release in New Zealand as a pesticide.
- 4.2 A substance can be assessed by rapid assessment procedures, under section 28A(2)(c), if it can be shown that it has been formulated so that one or more of its hazardous properties has a lesser degree of hazard than any substance already approved under the Act.
- 4.3 The approach adopted when considering this application was:
- to review the information provided;
 - to identify the composition and hazardous properties of OCP1004 and of a reference substance;
 - to determine whether OCP1004 has a similar use to the reference substance;

- to determine whether the reference substance is one that has been approved by the Authority and whether OCP1004 has been formulated so that one or more of its hazardous properties has a lesser degree of hazard than the reference substance.

4.4 And then:

- to consider whether the risks posed by OCP1004 are the same as, less than or greater than those posed by the reference substance;
- to consider whether there are any other effects that mean OCP1004 should not be approved under section 28A; and
- to consider whether the controls that apply under the Act to the reference substance, modified according to the hazardous properties of OCP1004 will adequately prevent or manage the adverse effects of OCP1004.

Information review

4.5 The project team has reviewed all the information supplied by Orion Crop Protection Limited, and considers that the information constitutes an adequate and appropriate basis for assessing the application (clause 8). They also consider that there are no significant uncertainties (ie sufficient to influence decision making) in the scientific and technical information relating to the risks of OCP1004 (clauses 29 and 30).

Identification of OCP1004

4.6 OCP1004 is a liquid containing triclopyr butoxyethyl ester as the active ingredient, and other components.

Identification of the reference substance

4.7 The applicant identified a reference substance with which they consider OCP1004 may be compared. This reference substance was transferred under the generic substance description '*Emulsifiable concentrate containing 120 g/litre triclopyr*' and given the HSNO Approval code, HSR000574.

4.8 The project team considers the reference substance is eligible for comparing with OCP1004 and has used it as such in this document.

Composition of OCP1004 compared to that of the reference substance

4.9 OCP1004 and the reference substance are both liquids containing triclopyr butoxyethyl ester as the active ingredient, and other components.

4.10 The active ingredient and Component C are the major hazardous components conferring the hazard classifications on OCP1004. The active ingredient and other components are the major hazardous components conferring the hazard classifications on the reference substance.

4.11 The project team notes that the overall concentration of major hazardous components and active ingredients is greater in the reference substance than in the proposed substance.

Hazardous properties of OCP1004 compared to those of the reference substance

- 4.12 The project team has determined the hazard profile of OCP1004 based on the information provided by the applicant and other available information. The hazard classifications for OCP1004 are set out in Table 4.1 for comparison against the reference substance.

Table 4.1: Comparison of hazard classifications

Hazardous property	OCP1004	Reference substance
Acute toxicity (oral)	6.1E	6.1D
Acute toxicity (dermal)	--	6.1C
Acute toxicity (inhalation)	--	6.1D
Skin irritancy/corrosivity	6.3B	6.3B
Eye irritancy/corrosivity	6.4A	6.4A
Contact sensitisation	6.5B	6.5B
Target organ/systemic toxicity (oral)	6.9B	6.9B
Aquatic ecotoxicity	9.1A	9.1A
Soil ecotoxicity	9.2A	9.2A
Terrestrial vertebrate ecotoxicity	--	9.3B

- 4.13 The project team notes that OCP1004 has a reduced hazard classification compared to the reference substance in that it has not been classified as an acute dermal or inhalation toxicant or a terrestrial vertebrate ecotoxicant. The reduction in hazard is due to the absence of a hazardous excipient that is present in the reference substance.

Comparison of the uses of OCP1004 and the reference substance

- 4.14 The project team notes that OCP1004 and the reference substance are both for use as herbicides applied by knapsack sprayer or small hand held sprayer at similar application rates.
- 4.15 The project team considers that there are no substantial differences in the lifecycles, uses, purposes and presentations between OCP1004 and the reference substance.

Meeting the criteria for rapid assessment under section 28A(2)(c)

- 4.16 Based on the comparison and assessment detailed above, the project team considers that the criteria for rapid assessment under section 28A(2)(c) have been met through OCP1004 being formulated so that one or more of its hazardous properties has a lesser degree of hazard than a substance that has been approved under the Act.

Comparison of the adverse effects of OCP1004 and the reference substance

- 4.17 Given the similarities in lifecycle and use of OCP1004 and the reference substance, the project team does not expect an increase in potential exposure to

occur. As OCP1004 is of reduced hazard, the risks it poses are less than those of the reference substance.

- 4.18 The project team considers that there are no other matters that would prevent this application from being approved under section 28A.

Controls

- 4.19 A set of controls was applied to the reference substance when it was approved under the Act. Changes that have been made in legislation subsequent to the approval of the reference substance now also apply to it (section 77(2)(a)).
- 4.20 The project team notes that the proposed and reference substances have similar use patterns, therefore most of the controls assigned to the reference substance will be applicable to the proposed substance. However, as OCP1004 has a reduced hazard profile relative to the reference substance, the project team notes that the following controls assigned to the reference substance are not triggered for OCP1004:

Class/Lifecycle Stage	Control
Toxicity	T3,T6
Ecotoxicity	E4
Identification	I20

- 4.21 The project team also notes that the following control has been triggered for OCP1004 on the basis of its intrinsic hazards. However, the control is not considered relevant based on the substance's use, and has therefore not been listed:

Class/Lifecycle Stage	Control
Toxicity	T8

- 4.22 The following modifications, deletions, additions and combinations applied to the reference substance, as provided for under section 77 and section 77A, and are equally applicable to OCP1004:

4.22.1 Setting of exposure limits:

Control	Comment
T1	This control relates to the setting of tolerable exposure limits (TEs) to control hazardous substances entering the environment in quantities sufficient to present a risk to people. Following the implementation of the Hazardous Substances and New Organisms (Approvals and Enforcement) Act 2005, the Agency is intending to review the setting of ADEs, PDEs and TEs under s77B of the Act. Until this review is complete, the project team proposes not to set ADEs, PDEs or TEs for any components of OCP1004 at this time.
T2	Control T2 relates to the requirement to control exposure in places of work through the setting of WESs. The Agency typically adopts WES values listed in the Workplace Exposure Standards document (Effective from December 2010): http://www.osh.govt.nz/publications/booklets/wes-dec-

Control	Comment
	2010/wes-dec-2010.pdf
	The project team notes that no Department of Labour WES values have been set for any component in OCP1004. No WESs are set for OCP1004 at this time.
E1	This control relates to the setting of environmental exposure limits (EELs) to control hazardous substances entering the environment in quantities sufficient to present a risk to the environment. Following the implementation of the Hazardous Substances and New Organisms (Approvals and Enforcement) Act 2005, the Agency is intending to review the setting of EELs under s77B of the Act. Until this review is complete, the project team proposes not to set EELs for any component of OCP1004 at this time. It is also proposed that the default EEL water and soil values be deleted until the policy has been established.
E2	This control relates to restrictions on use of substances in application areas. As no EEL has been set for OCP1004, no application rate is required to be set at this time.

4.22.2 Modified controls:

Controls	Comment
T7	Control T7 relates to restrictions on the carriage of toxic substances on passenger service vehicles. For OCP1004, the project team considers that Regulation 10 ¹ should apply as if the maximum quantity per package of a 6.5B substance is 1.0 L, rather than 0.1 L. This variation should be applied in order to be consistent with the variation for the sensitisation hazard for pesticides transferred to the Act under the Hazardous Substances (Pesticides) Transfer Notice 2004.
E7/AH1	Controls E7/AH1 relate to approved handler/security requirements. The project team notes the approved handler/security requirements placed on the reference substance were triggered by the 6.1C and 6.1D hazard classifications of it; however, given the reduced acute toxicity of the proposed substance (6.1E), the project team considers Regulation 9(1) should be varied to reduce the approved handler requirements based on the substance's use as a pesticide applied in a wide and dispersive manner. This variation has also been carried out for other similar substances transferred under the Act: <i>(1) This hazardous substance must be under the personal control of an approved handler when the substance is:</i> <i>(a) applied in a wide dispersive manner; or</i> <i>(b) used by a commercial contractor.</i>

4.22.3 Deleted controls:

Controls	Comment
TR1	Control TR1 relates to Tracking requirements. This control has been triggered by the 9.1A and 9.2A ecotoxicity classifications of OCP1004. The project team considers that the control can be deleted under section 77(4)(b) as being

¹ Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001

Controls	Comment
	unnecessary to manage the risk of adverse effects from the use of OCP1004, which are already well-managed under other controls.

4.22.4 Additional controls:

Controls	Comment
use control	The project team notes that for pesticides transferred to the HSNO Act on 1 July 2004, a use restriction control was applied. The project team considers it to be equally applicable to OCP1004: <i>OCP1004 shall not be applied onto or into water¹.</i>
Schedule 8	The controls relating to stationary containment, as set out in Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (Supplement to the New Zealand Gazette, 26 March 2004, No. 35, page 767), as amended, shall apply to this substance, notwithstanding clause 1 of that schedule.
EM12	The following subclauses are added after subclause (3) of regulation 36 ² (control EM12) to allow for dispensation where it is unnecessary for any associated pipework to have secondary containment: <i>(4) For the purposes of this regulation, and regulations 37 to 40, where this substance is contained in pipework that is installed and operated so as to manage any loss of containment in the pipework it—</i> <i>(a) is not to be taken into account in determining whether a place is required to have a secondary containment system; and</i> <i>(b) is not required to be located in a secondary containment system.</i> <i>(5) In this clause, pipework—</i> <i>(a) means piping that—</i> <i>(i) is connected to a stationary container; and</i> <i>(ii) is used to transfer a hazardous substance into or out of the stationary container; and</i> <i>(b) includes a process pipeline or a transfer line.</i>
EM12	For addition at the end of regulation 37 ¹ as the risks associated with the containment of substances which are not class 1 to 5 substances are less than those associated with class 1 to 5 substances, consequently the secondary containment requirements with respect to pooling hazardous substances can be reduced as follows: <i>(2) If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers each of which has a capacity of 60 litres or less—</i> <i>(a) if the place's total pooling potential is less than 20,000 litres, the secondary containment system</i>

¹ where 'water' means water in all its physical forms, whether flowing or not, and whether over or under ground, but does not include water in any form while in a pipe, tank or cistern.

² Hazardous Substances (Emergency Management) Regulations 2001

Controls	Comment
	<p><i>must have a capacity of at least 25% of that total pooling potential:</i></p> <p>(b) <i>if the place's total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—</i></p> <p>(i) <i>5% of the total pooling potential; or</i></p> <p>(ii) <i>5,000 litres.</i></p> <p>(3) <i>Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that leakage of one substance may not adversely affect the container of another substance.</i></p>
EM12	<p>For addition at the end of regulation 38¹ as the risks associated with the containment of substances which are not class 1 to 5 substances are less than those associated with class 1 to 5 substances, consequently the secondary containment requirements with respect to pooling hazardous substances can be reduced as follows:</p> <p>(2) <i>If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers 1 or more of which have a capacity of more than 60 litres but none of which have a capacity of more than 450 litres—</i></p> <p>(a) <i>if the place's total pooling potential is less than 20,000 litres, the secondary containment system must have a capacity of either 25% of that total pooling potential or 110% of the capacity of the largest container, whichever is the greater:</i></p> <p>(b) <i>if the place's total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—</i></p> <p>(i) <i>5% of the total pooling potential; or</i></p> <p>(ii) <i>5,000 litres</i></p> <p>(3) <i>Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that the leakage of one substance may not adversely affect the container of another substance.</i></p>

4.23 Taking into account the control modifications and additions detailed above, the proposed controls for OCP1004 are detailed in Appendix 1.

5 Environmental user charges

5.1 The project team considers that use of controls on OCP1004 is an effective means of managing risks associated with this substance. At this time, no consideration has been given as to whether or not environmental user charges should be applied to this substance as an alternative or additional means of achieving effective risk management. Accordingly, no report has been made to the Minister for the Environment.

¹ Hazardous Substances (Emergency Management) Regulations 2001

6 Decision

- 6.1 Pursuant to section 28A, I have considered this application to import or manufacture a hazardous substance for release made under section 28.
- 6.2 Having considered the composition, hazardous properties, and proposed use of OCP1004, I am satisfied that it meets the criteria for rapid assessment under section 28A(2)(c) in that it has been formulated so that one or more of its hazardous properties has a lesser degree of hazard than an approved reference substance.
- 6.3 I am satisfied with the hazard classifications identified by the project team in Table 4.1 and confer them accordingly to OCP1004.
- 6.4 As the risks posed by OCP1004 are less than the reference substance, I consider that applying the same suite of controls to OCP1004 with the variations and additions proposed, in paragraphs 4.20 to 4.22.4 (inclusive), will ensure adequate management of any adverse effects.
- 6.5 In this consideration, I have also applied the following criteria in the Methodology:
- clause 9 – equivalent of sections 5, 6 and 8;
 - clause 12 – risk assessment;
 - clause 21 – the decision accords with the requirements of the Act and regulations;
 - clause 24 – the use of recognised risk identification, assessment, evaluation and management techniques;
 - clause 25 – the evaluation of risks; and
 - clause 35 – the costs and benefits of varying the default controls.
- 6.6 The application to import or manufacture the hazardous substance, OCP1004, for release is thus **approved** with controls as detailed in Appendix 1.

Rob Forlong
Chief Executive, ERMA New Zealand

Date: 29 March 2011

OCP1004

ERMA New Zealand Approval Code:

HSR100499

Appendix 1: Controls applying to OCP1004

The controls imposed are as follows. The regulations cited should be referred to for definitions and exemptions. The ERMA New Zealand publication *User Guide to Control Regulations* provides useful guidance on the controls.

Table A1.1: Controls – codes, regulations and variations

Control Code ¹	Regulation ²	Topic	Variations
Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 - Toxic Property Controls			
T1	11 – 27	Limiting exposure to toxic substances through the setting of TELs	No TELs are set for OCP1004 at this time.
T2	29, 30	Controlling exposure in places of work through the setting of WESs	No WESs are set for OCP1004 at this time.
T4	7	Requirements for equipment used to handle substances	
T5	8	Requirements for protective clothing and equipment	
T7	10	Restrictions on the carriage of toxic or corrosive substances on passenger service vehicles	The maximum quantity of OCP1004 that can be transported on passenger service vehicles is varied from 0.1L to 1L per package.
Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 - Ecotoxic Property Controls			
E1	32 – 45	Limiting exposure to ecotoxic substances through the setting of EELs	No EELs are set for OCP1004 at this time and the default EEL values are deleted.
E2	46 – 48	Restrictions on use of substances in application areas	No application rate is set for OCP1004 at this time.
E5	5(2), 6	Requirements for keeping records of use	
E6	7	Requirements for equipment used to handle substances	
E7	9	Approved handler/security requirements for certain ecotoxic substances	The following control is substituted for Regulations 9(1) of the Hazardous Substances (Classes 6, 8, and 9 Controls) regulations 2001: <i>(1) This hazardous substance must be under the personal control of an approved handler when the substance is: (a) applied in a wide dispersive manner; or</i>

¹ Note: The numbering system used in this column relates to the coding system used in the ERMA New Zealand Controls Matrix. This links the hazard classification categories to the regulatory controls triggered by each category. It is available from the ERMA New Zealand website www.ermanz.govt.nz/resources and is also contained in the ERMA New Zealand User Guide to the HSNO Control Regulations.

² These Regulations form the controls applicable to this substance. Refer to the cited Regulations for the formal specification, and for definitions and exemptions. The accompanying explanation is intended for guidance only.

Control Code ¹	Regulation ²	Topic	Variations
			<i>(b) used by a commercial contractor.</i>
Hazardous Substances (Identification) Regulations 2001			
I1	6, 7, 32–35, 36(1) – (7)	Identification requirements, duties of persons in charge, accessibility, comprehensibility, clarity and durability	
I3	9	Priority identifiers for ecotoxic substances	
I8	14	Priority identifiers for toxic substances	
I9	18	Secondary identifiers for all hazardous substances	
I11	20	Secondary identifiers for ecotoxic substances	
I16	25	Secondary identifiers for toxic substances	
I17	26	Use of generic names	
I18	27	Requirements for using concentration ranges	
I19	29 – 31	Additional information requirements, including situations where substances are in multiple packaging	
I21	37-39, 47-50	General documentation requirements	
I23	41	Specific documentation requirements for ecotoxic substances	
I28	46	Specific documentation requirements for toxic substances	
I29	51, 52	Duties of persons in charge of places with respect to signage	
I30	53	Advertising corrosive and toxic substances	
Hazardous Substances (Packaging) Regulations 2001			
P1	5, 6, 7(1), 8	General packaging requirements	
P3	9	Criteria that allow substances to be packaged to a standard not meeting Packing Group I, II or III criteria	
P13	19	Packaging requirements for toxic substances	
P15	21	Packaging requirements for ecotoxic substances	
PG3	Schedule 3	Packaging requirements equivalent to UN Packing Group III	
PS4	Schedule 4	Packaging requirements as specified in Schedule 4	

Control Code ¹	Regulation ²	Topic	Variations
Hazardous Substances (Disposal) Regulations 2001			
D4	8	Disposal requirements for toxic and corrosive substances	
D5	9	Disposal requirements for ecotoxic substances	
D6	10	Disposal requirements for packages	
D7	11, 12	Disposal information requirements	
D8	13, 14	Disposal documentation requirements	
Hazardous Substances (Emergency Management) Regulations 2001			
EM1	6, 7, 9 – 11	Level 1 information requirements for suppliers and persons in charge	
EM6	8(e)	Information requirements for toxic substances	
EM7	8(f)	Information requirements for ecotoxic substances	
EM8	12-16, 18-20	Level 2 emergency management documentation requirements	
EM11	25 – 34	Level 3 emergency management requirements: duties of person in charge, emergency response plans	
EM12	35 – 41	Level 3 emergency management requirements: secondary containment	<p>The following subclauses are added after subclause (3) of regulation 36:</p> <p>(4) <i>For the purposes of this regulation, and regulations 37 to 40, where this substance is contained in pipework that is installed and operated so as to manage any loss of containment in the pipework it—</i></p> <p>(a) <i>is not to be taken into account in determining whether a place is required to have a secondary containment system; and</i></p> <p>(b) <i>is not required to be located in a secondary containment system.</i></p> <p>(5) <i>In this clause, pipework—</i></p> <p>(a) <i>means piping that—</i></p> <p>(i) <i>is connected to a stationary container; and</i></p> <p>(ii) <i>is used to transfer a hazardous substance into or out of the stationary container; and</i></p> <p>(b) <i>includes a process pipeline</i></p>

Control Code ¹	Regulation ²	Topic	Variations
			<p style="text-align: right;"><i>or a transfer line.</i></p> <p>The following subclauses are added at the end of regulation 37:</p> <p>(2) <i>If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers each of which has a capacity of 60 litres or less—</i></p> <p style="padding-left: 20px;"><i>(a) if the place’s total pooling potential is less than 20,000 litres, the secondary containment system must have a capacity of at least 25% of that total pooling potential:</i></p> <p style="padding-left: 20px;"><i>(b) if the place’s total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—</i></p> <p style="padding-left: 40px;"><i>(i) 5% of the total pooling potential; or</i></p> <p style="padding-left: 40px;"><i>(ii) 5,000 litres.</i></p> <p>(3) <i>Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that leakage of one substance may not adversely affect the container of another substance.</i></p> <p>The following subclauses are added at the end of regulation 38:</p> <p>(2) <i>If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers 1 or more of which have a capacity of more than 60 litres but none of which have a capacity of more than 450 litres—</i></p> <p style="padding-left: 20px;"><i>(a) if the place’s total pooling potential is less than 20,000 litres, the secondary containment system must have a capacity of either 25% of that total pooling</i></p>

Control Code ¹	Regulation ²	Topic	Variations
			<p><i>potential or 110% of the capacity of the largest container, whichever is the greater:</i></p> <p><i>(b) if the place's total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—</i></p> <p><i>(i) 5% of the total pooling potential; or</i></p> <p><i>(ii) 5,000 litres</i></p> <p><i>(3) Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that the leakage of one substance may not adversely affect the container of another substance.</i></p>
EM13	42	Level 3 emergency management requirements: signage	
Hazardous Substances (personnel Qualifications) Regulations 2001			
AH1	4- 6	Approved handler requirements (including test certificate and qualification requirements)	refer to control E7
Hazardous Substances (Tank Wagons and Transportable Containers) Regulations 2004			
Regulations 4 to 43 where applicable		The Hazardous Substances (Tank Wagons and Transportable Containers) Regulations 2004 prescribe a number of controls relating to tank wagons and transportable containers and must be complied with as relevant.	
Additional controls set under s77A			
OCP1004 shall not be applied onto or into water.			
The controls relating to stationary container systems, as set out in Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (Supplement to the New Zealand Gazette, 26 March 2004, No. 35, page 767), as amended, shall apply to this substance, notwithstanding clause 1(1) of that schedule.			
Addition of subclauses after subclause (3) of Regulation 36 (control EM12) of the Hazardous Substances (Emergency Management Controls) Regulations 2001.			
Addition of clauses after Regulation 37 (control EM12) of the Hazardous Substances (Emergency Management Controls) Regulations 2001.			
Addition of clauses after Regulation 38 (control EM12) of the Hazardous Substances (Emergency Management Controls) Regulations 2001.			

Appendix 2: Confidential Information
