

Official Information Act Request

Requester's details

Date: 18 May 2022

Name: [REDACTED]

Organisation: [REDACTED]

Email: [REDACTED]

Reference number: ENQ-43703-L2V8B5

Dear [REDACTED]

I refer to your request received on 29 March 2022, for the following information relating to our compliance assessment of three Safety Data Sheets (SDSs) supplied by [REDACTED] [REDACTED] which you sent to us last year, for the substances Acetonitrile, Tetraethylammonium bromide and Benzene:

“Can I see how the EPA thought the sheets were non compliant and what is expected?”

The information you have requested follows.

The requirements of SDSs, as well as other relevant Notices related to Hazardous Substances, can be found here: [EPA notices for hazardous substances | EPA](#).

For these specific SDSs, the non-compliances that the EPA identified included the following points:

The SDSs indicate that each substance has an existing HSNO approval: Acetonitrile – HSR001071, Tetraethylammonium bromide – HSR006306 and Benzene – HSR001038.

- Section 2 of the acetonitrile SDS contains information regarding the substance's hazard classification and information that is inconsistent with HSNO approval HSR001071.
- Section 2 of the benzene SDS does not provide any information on the substance's hazard classification and information, however this substance is classified as hazardous in New Zealand and has the HSNO approval HSR001038.
- Section 2 of the tetraethylammonium bromide SDS states 'Not a hazardous substance', and does not include any hazard classification or information, however the substance is classified as hazardous in New Zealand and has the HSNO approval HSR006306.
- Section 15 of each of these SDSs lacks a reference to any applicable tolerable exposure limit or environmental exposure limit; and states 'approved handler certified not required', which is not accurate for these substances.

We have issued an advice letter to [REDACTED] outlining these non-compliances.

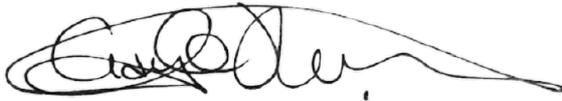
It is the EPA's expectation that [REDACTED] take necessary steps to ensure compliance with the requirements set out in the HSNO Act, associated Notices and approvals, including the application of advice more broadly to all hazardous substances imported, manufactured or supplied.

You have the right to seek an investigation and review by the Ombudsman of this decision. You can contact the Ombudsman on 0800 802 602, or by email at info@ombudsman.parliament.nz

If you have any further queries, please do not hesitate to contact us via ministerials@epa.govt.nz

We may publish your request and our response on our website, www.epa.govt.nz. We make OIA responses available so others can read more about the work we do and the questions we are asked. Any information that might identify you will be removed to protect your privacy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gayle Holmes', with a long, sweeping horizontal line extending to the right.

Gayle Holmes
General Manager, Compliance, Monitoring and Enforcement