Sell or supply certain chemicals to workplaces only

November 2018

Some highly-hazardous chemicals, such as explosives and some poisons, can only be sold or supplied to workplaces, and with a written notification. Selling or supplying these chemicals without following the correct process is illegal. Find out more here.

Chemicals restricted to workplaces only

The restricted chemicals are listed in Table 1 below, with exceptions listed in Table 2. These tables are taken from Schedule 1 of the Hazardous Substances (Hazardous Property Controls) Notice 2017.

Follow the lawful process when selling or supplying these chemicals

There are a few steps to follow to make sure you are supplying these restricted chemicals lawfully:

1) These chemicals must only be supplied to a workplace, and that workplace must have a ‘competent person’ to accept responsibility for the substance. A ‘competent person’ is someone who either:
   - has received information, instruction and training to handle the substance, or,
   - is a certified handler for the substance, where relevant.

In exceptional circumstances, we, the EPA, may issue a permission to an authorised person to allow them to use a restricted substance in a non-workplace. For more information about obtaining permission, see our website or contact us to discuss this.

2) Prior to supplying a restricted substance, the supplier must obtain confirmation in writing that the competent or authorised person will accept responsibility for the substance, once it is delivered to them.

3) The supplier must keep written records for 12 months after they supply the substance, including:
   - the product or chemical name
   - the name and address of the competent person or authorised person that received the substance
   - the date of supply
   - a copy of the confirmation that the competent or authorised person will accept responsibility.

4) Some of these chemicals must also be tracked throughout their lifecycle within New Zealand. The chemicals that must be tracked by law are listed in schedule 26, tables 1 and 2, of the Health and Safety at Work (Hazardous Substances) Regulations 2017.

For more details, contact WorkSafe New Zealand.
Table 1: Substances restricted for sale or supply to workplaces only (see exemptions in table 2)

Class 1 (explosives)
Class 3.1A (flammable liquids)
Class 3.2A, 3.2B, 3.2C (liquid desensitised explosives)
Class 4.1.2A, 4.1.2B, 4.1.2C, 4.1.2D, 4.1.2E, 4.1.2F (self-reactive substances and mixtures)
Class 4.1.3A, 4.1.3B, 4.1.3C (solid desensitised explosives)
Class 4.2A, 4.2B (spontaneously combustible substances)
Class 4.3A, 4.3B, 4.3C (solids that emit flammable gas when in contact with water)
Class 5.1.1A (oxidising substances)
Class 5.2A, 5.2B (organic peroxides)
Class 6.1A, 6.1B, 6.1C (acutely toxic)
Class 6.7A (known or presumed human carcinogen)
Class 8.2A (highly corrosive to skin)
Dianex (HSR101016)
Emulsifiable concentrate containing 500 g/litre dimethoate (HSR000193)
Emulsifiable concentrate containing 800 g/litre diazinon (Substance B) (HSR000181)
Fandango (HSR001722)
Feratox pellet A in 12g Ferafeed paste (HSR100752)
Feratox pellet A in 18g Ferafeed paste (HSR100752)
Feratox pellet A in 20 g Ferafeed paste (HSR100752)
Feratox pellet A in 9 g Ferafeed Paste (HSR100752)
Feratox pellet B (one pellet) in 18 g Ferafeed paste (HSR100752)
Firefly (HSR007993)
Fury 120 SC (HSR101069)
Melody Duo (HSR001616)
Melody Duo NF (HSR007814)
Perfekthion S-1 (HSR000965)
PROLINE (HSR001661)
RF-046 (HSR10107)
Table 2: Exceptions to the list in Table 1

<table>
<thead>
<tr>
<th>Description</th>
<th>Classification</th>
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<tbody>
<tr>
<td>Safety ammunition, including blank ammunition, pre-primed cartridges and primers, of class 1.4S</td>
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<tr>
<td>Fireworks in hazard classifications 1.3G, 1.4G, and 1.4S that are controlled under the Hazardous Substances (Fireworks) Regulations 2001</td>
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<tr>
<td>Emergency flares and signalling devices in hazard classifications 1.3G, 1.4G, and 1.4S</td>
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<td>Model rocket motors of hazard classifications 1.4G, and 1.4S</td>
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<tr>
<td>Propellants of hazard classifications 1.3C (UN 0161 and 0499)</td>
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<tr>
<td>Gunpowder of hazard classification 1.1D (UN 0027)</td>
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<tr>
<td>Igniting fuses of hazard classification 1.4G (UN 0317)</td>
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<tr>
<td>Igniters of hazard classification 1.4S (UN 0454)</td>
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<tr>
<td>Petrol</td>
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<td>Aviation or racing gasoline of class 3.1A</td>
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<tr>
<td>Optima Activator (Black) (HSR000103)</td>
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<td>Optima Activator (Blue) (HSR000104)</td>
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<td>Optima Activator (Red) (HSR000105)</td>
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<tr>
<td>Optima Activator (White) (HSR000106)</td>
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