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ENVIRONMENTAL RISK MANAGEMENT AUTHORITY

HAZARDOUS SUBSTANCES (SODIUM FLUOROACETATE) TRANSFER NOTICE 2005 (AS AMENDED)*

PURSUANT TO THE HAZARDOUS SUBSTANCES
AND NEW ORGANISMS ACT 1996

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This version incorporates the following:

- Hazardous Substance (Sodium Fluoroacetate) Transfer Notice 2005, (Supplement to the *New Zealand Gazette*, 17 June 2005, No. 92, page 2165)
- Hazardous Substances (Sodium Fluoroacetate) (Amendment) Transfer Notice 2006, (Supplement to the *New Zealand Gazette*, 21 June 2006, No. 62, page 1475)
- Hazardous Substances (Sodium Fluoroacetate) (Amendment) Transfer Notice (No 2) 2006 (*New Zealand Gazette*, 29 June 2006, page 1872)

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Hazardous Substances and New Organisms Act 1996

Hazardous Substances (Sodium Fluoroacetate) Transfer Notice 2005

Pursuant to section 160A of the Hazardous Substances and New Organisms Act 1996 (in this notice referred to as **the Act**), the Environmental Risk Management Authority gives the following notice.

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1 Title

This notice is the Hazardous Substances (Sodium Fluoroacetate) Transfer Notice 2005.

2 Commencement

This notice comes into force on 1 July 2005.

3 Interpretation

In this notice, unless the context otherwise requires—

aerial application means application from an aircraft

aircraft has the meaning given to it by section 2 of the Civil Aviation Act 1990

application, in relation to a hazardous substance described in Schedule 1, means dropping, spreading, spraying, laying as bait, dusting, sprinkling, wiping, placing, or pouring the substance on ground or vegetation, and **apply** has a corresponding meaning

contained ground-based application means application of a hazardous substance—

- (a) in a bait station, or bait bag, or other container that is fixed to an object; or
- (b) so that it is contained in some other way, such as in a pipe or burrow

ground-based application, means application from the ground, and includes contained ground-based application

public drinking water supply includes drinking water supply reservoirs, treatment plants and storage facilities.

4 Deemed assessment and approval

- (1) On the commencement of this notice, the substances described in Schedule 1 are no longer subject to the provisions of Parts XI to XV of the Act.
- (2) Each hazardous substance described in Schedule 1 is deemed to have been assessed and approved by the Authority under section 29 of the Act.

5 Deemed hazard classification

Each hazardous substance described in Schedule 1 is deemed to have the hazard classifications specified in the column entitled “hazard classifications” opposite its description in Schedule 1.

6 Application of controls and changes to controls

- (1) The controls that apply to the hazardous substances described in Schedule 1 are as follows:
 - (a) the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001, with the changes indicated in Schedule 2:
 - (b) the Hazardous Substances (Packaging) Regulations 2001, with the changes indicated in Schedule 2:
 - (c) the Hazardous Substances (Disposal) Regulations 2001:
 - (d) the Hazardous Substances (Tracking) Regulations 2001, with the changes indicated in Schedule 2:
 - (e) the Hazardous Substances and New Organisms (Personnel Qualifications) Regulations 2001:
 - (f) the Hazardous Substances (Emergency Management) Regulations 2001:
 - (g) the Hazardous Substances (Identification) Regulations 2001:
 - (h) the Hazardous Substances (Tank Wagon and Transportable Containers) Regulations 2004:

- (i) the controls for stationary container systems set out in Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (*Gazette*, 2004, No 35, p 767), as amended by the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) (Amendment) Transfer Notice 2004 (*Gazette*, 2004, No 128, p 3133), with the changes indicated in Schedule 2.
- (2) Subclause (1)(i) applies despite clause 1(1) of Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (*Gazette*, 2004, No 35, p 767).

7 Other obligations and restrictions

The obligations and restrictions specified in Schedule 3 and Schedule 4 are imposed as controls under section 160B of the Act applying to the hazardous substances described in Schedule 1.

8 Tolerable exposure limits, and application rates

- (1) Under regulation 24(1) of the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001, the Authority sets as a tolerable exposure limit for each hazardous substance listed in Schedule 1 the value specified in clause 1 of Schedule 5.
- (2) Under regulation 48(1) of the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001, the Authority sets as an application rate for each hazardous substance listed in column 1 of the table in clause 2 of Schedule 5 the value specified in column 2 of that table.

9 Workplace exposure standards

- (1) Under regulation 29(2) of the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001, the Authority adopts as a workplace exposure standard in relation to each hazardous substance described in Schedule 1, and each component of each hazardous substance described in that Schedule, the value or values specified in the document described in subclause (2) relating to that hazardous substance, or component, if any.
- (2) The document referred to in subclause (1) is the document entitled “Workplace Exposure Standards”, published by the Occupational Safety and Health Service, Department of Labour, January 2002, ISBN 0-477-03660-0.

10 Methods of release and colours

- (1) Under regulation 51(a) of the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001, the Authority specifies in relation to each hazardous substance listed in column 1 of the table in clause 1 of Schedule 6 the colours specified in column 3 of that table.
- (2) Under regulation 51(b) of the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001, the Authority specifies in relation to each hazardous substance listed in column 1 of the table in clause 1 of Schedule 6 the method or methods of release specified in column 2 of that table.
- (3) No person may apply, or release, or colour a hazardous substance specified in Schedule 6 other than in accordance with that Schedule.

Schedule 1**List of substances to be transferred**

Substance	Hazard Classifications
Paste containing 0.6 – 0.8 g/kg sodium fluoroacetate	6.1C, 9.3B
Paste containing 1.5 g/kg sodium fluoroacetate	6.1B, 6.8A, 9.1D, 9.3A
Pellets containing 0.4 – 0.8 g/kg sodium fluoroacetate	6.1C, 9.3B
Pellets containing 1.0 g/kg sodium fluoroacetate	6.1C, 6.8A, 9.1D, 9.3B
Pellets containing 1.5 – 2.0 g/kg sodium fluoroacetate	6.1B, 6.8A, 9.1D, 9.3A
Paste containing 10 g/kg sodium fluoroacetate	6.1B, 6.8A, 6.9B, 9.1D, 9.3A, 9.4C
Gel containing 1.5 g/kg sodium fluoroacetate	6.1B, 6.5B, 6.8A, 9.1D, 9.3A
Gel containing 50 g/kg sodium fluoroacetate	6.1A, 6.8A, 6.9B, 9.1D, 9.3A, 9.4B
Gel containing 100 g/kg sodium fluoroacetate	6.1A, 6.3B, 6.4A, 6.8A, 6.9A, 9.1A, 9.3A, 9.4B
Soluble concentrate containing 200 g/litre sodium fluoroacetate	6.1A, 6.3B, 6.4A, 6.8A, 6.9A, 9.1A, 9.3A, 9.4B

Schedule 2

Changes to controls

**Control – Hazardous
Substances (Classes 6, 8,
and 9 Controls)
Regulations 2001**

[New regulation 9A

Changes to Controls

The regulations apply to each hazardous substance described in Schedule 1 as if the following regulation were inserted immediately after regulation 9:

9A Exception to approved handler requirement for packaged substances

- (1) Regulation 9 is deemed to be complied with if—
- (a) in the case of a hazardous substance being transported on land—
 - (i) in the case of a hazardous substance being transported by rail, the person who drives the rail vehicle that is transporting the substance is fully trained in accordance with an approved safety system under section 6D of the Transport Services Licensing Act 1989 or a safety system which is referred to in an approved safety case under the Railways Act 2005; and
 - (ii) in every other case, the person who drives, loads and unloads the vehicle that is transporting the substance—
 - (A) for hire or reward, or in quantities which exceed those set out in Schedule 1 of the Land Transport Rule 45001/1: Dangerous Goods 2005, has a current dangerous goods endorsement on his or her drivers licence; or
 - (B) in every other case, the Land Transport Rule 45001/1: Dangerous Goods 2005 is complied with; or
 - (b) in the case of a hazardous substance being transported by sea, one of the following is complied with:
 - (i) Maritime Rules: Part 24A – Carriage of Cargoes – Dangerous Goods (MR024A):
 - (ii) International Maritime Dangerous Goods Code; or

- (c) in the case of a hazardous substance being transported by air, Part 92 of the Civil Aviation Rules is complied with.
- (2) Subclause (1)(a)—
 - (a) does not apply to a tank wagon or a transportable container to which the Hazardous Substances (Tank Wagons and Transportable Containers) Regulations 2004 applies; but
 - (b) despite paragraph (a), does apply to an intermediate bulk container that complies with chapter 6.5 of the UN Model Regulations.
- [(3) Subclause (1)(c):
 - (a) applies to pilots, aircrew, and airline ground personnel loading and handling a hazardous substance within an aerodrome; but
 - (b) does not apply to the storage and handling of a hazardous substance in any place that is not within an aerodrome, or within an aerodrome by non-airline ground personnel.]
- (4) In this regulation, **UN Model Regulations** means the 14th revised edition of the Recommendation on the Transport of Dangerous Goods Model Regulations, published in 2005 by the United Nations.]

[New regulation 9B

The regulations apply to each hazardous substance described in Schedule 1 as if the following regulation were inserted immediately after regulation 9A:

9B Exception to approved handler requirement for aerial application of certain substances

Regulation 9 is deemed to be complied with if, in the case of the aerial application of a hazardous substance, the person who carries out the application has a current pilot chemical rating in accordance with Part 61 of the Civil Aviation Rules]

Regulation 28

This regulation applies to each hazardous substance described in Schedule 1 as if subclause (2) were omitted and the following substituted:

- (2) A person in charge of the substance must ensure that signs are erected at every normal point of entry to the place where the substance is to be applied or laid before the substance is applied or laid.

- Regulation 28 This regulation applies to each hazardous substance described in Schedule 1 as if subclause (3)(d) were omitted and the following substituted:
- (d) comply with regulations 34 and 35 of the Hazardous Substances (Identification) Regulations 2001, except that regulation 35 applies as follows:
 - (i) in relation to the information required to be included on the signs by paragraphs (a) and (c), as if the distances referred to in regulation 35(3)(c) of those regulations were a distance of not less than 2 metres, and:
 - (ii) in relation to the information required to be included on the signs by paragraph (b), as if the distances referred to in regulation 35(3)(c) of those regulations were a distance of not less than 10 metres.

- Regulation 28 This regulation applies to each hazardous substance described in Schedule 1 as if subclauses (4) and (5) were omitted and the following substituted:
- (4) The signs must remain until the earlier of—
 - (a) when the substance is no longer toxic; or
 - (b) when the substance has been retrieved from the place; or
 - (5) Signs must be removed at the later of—
 - (a) when they are no longer required to remain under subclause (4); or
 - (b) in the case of signs that include information to which a legal obligation applies that requires the signs to remain in place for a longer period of time, the expiry of that longer period of time.

Regulation 32 The regulations apply to each hazardous substance described in Schedule 1 as if this regulation were omitted.

Regulation 48 This regulation applies to each hazardous substance described in Schedule 1 as if subclause (1) were omitted and the following substituted:

- (1) The Authority may set an application rate for a substance that is designed for biocidal action if an environmental exposure limit has been set for the substance.

Control – Hazardous Substances (Packaging)

Regulations 2001**Changes to Controls**

Regulation 19

This regulation applies to the following hazardous substances:

Paste containing 1.5 g/kg sodium fluoroacetate

Pellets containing 1.5 – 2.0 g/kg sodium fluoroacetate

Gel containing 1.5 g/kg sodium fluoroacetate

as if the words “Schedule 2” in subclause (1)(b) were omitted and the words “Schedule 3” substituted.

Control – Hazardous Substances (Tracking)**Regulations 2001****Changes to Controls**

Schedule 2, new clause 2A

Schedule 2 of these regulations applies to each hazardous substance described in Schedule 1 as if the following clause were inserted after clause 2:

2A The unique identifier for the container that contains the tracked substance.

Schedule 2, clause 5

This clause applies to each hazardous substance described in Schedule 1 as if the following were inserted after subclause (a):

(aa) the unique identifier for the container that contains the substance.

Schedule 2, clause 6

This clause applies to each hazardous substance described in Schedule 1 as if the following were inserted after subclause (d):

(e) the unique identifier for the container that contained the substance.

Control – Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (*Gazette*, 2004, No 35, p 767)**Changes to Controls**

Clause 1

This clause applies to soluble concentrate containing 200 g/litre sodium fluoroacetate as if the words “a hazardous substance described in Schedules 1 and 2” in subclause (1) were omitted and the following substituted:

soluble concentrate containing 200 g/litre sodium fluoroacetate

Clause 100

This clause applies to soluble concentrate containing 200 g/litre sodium fluoroacetate as if subclause (1) were omitted and the following substituted:

- (1) In this Part, **existing stationary container system** means a stationary container system to which this Schedule applies that, immediately before 1 July 2005,—
 - (a) was being used to contain soluble concentrate containing 200 g/litre sodium fluoroacetate; or
 - (b) was designed to be used to contain that substance, and construction of the stationary container system to that design had commenced.

Schedule 3

New controls

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1	Packaging of substances for sale for vertebrate pest control
2	Restrictions on supply and acquisition of substances
3	Permissions required for application or use of substances
4	Licence required for possession of substances
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6	Requirements for aircraft carrying out aerial application
7	Lost, spilt, or unintended application of substances
8	Unauthorised persons to stay clear of application area of substances

Packaging requirements

1 Packaging of substances for sale for vertebrate pest control

- (1) No person may pack a hazardous substance described in Schedule 1 for sale for vertebrate pest control unless the package is marked with a unique identifier.
- (2) The unique identifier marked on the package must comply with regulation 35 and regulation 36 of the Hazardous Substance (Identification) Regulations 2001.
- (3) For the purposes of regulation 35(3)(c) of those regulations, the unique identifier is a secondary identifier.
- (4) In this clause **package** means the smallest package in which the relevant substance is sold.

Supply and acquisition of substances

2 Restrictions on supply and acquisition of substances

- (1) This clause applies to each hazardous substance described in Schedule 1.
- (2) No person may sell or otherwise supply a substance to which this clause applies to any person unless the person has a licence in accordance with clause 4.
- (3) No person may purchase or otherwise acquire a substance to which this clause applies unless the person is a person specified in subclause (2).

Permissions and licences

3 Permissions required for application or use of substances

- (1) No person may apply or otherwise use a hazardous substance described in Schedule 1 on land administered or managed by the Department of Conservation unless the person first obtains a permission under section 95A of the Act from the Authority.
- (2) No person may apply or otherwise use a hazardous substance described in Schedule 1 in a catchment area from which water is drawn for human consumption or in any other area where

a risk to public health may be created if the substance is applied or used unless the person first obtains a permission under section 95A of the Act from the Authority.

4 Licence required for possession of substances

- (1) No person may possess a hazardous substance described in Schedule 1 unless the person has a licence under section 95B of the Act from the Authority that is obtained before the person takes possession of the substance.
- (2) Despite subclause (1), a person who does not have a licence may possess a hazardous substance if—
 - (a) the person is under the immediate supervision of a person who has a licence in accordance with this clause; or
 - (b) the person is deemed to comply with Regulation 9 of the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001 by regulation 9A of those regulations (as inserted by Schedule 2 of this notice).

Application of transferred substances

5 Restriction on aerial application of certain substances

- (1) No person may apply, or engage another person to apply, a hazardous substance described in Schedule 1 by aerial application unless—
 - (a) aerial application is a permitted method of release for that substance in accordance with clause 1 of Schedule 6; and
 - (b) the person has a permission or permissions (as the case may be) granted in accordance with clause 3; and
 - (c) a copy of each permission is supplied to the pilot of the aircraft; and
 - (d) the person has given public notice in a newspaper available in the areas in which the substance will be applied of the proposed aerial application in accordance with subclause (2); and
 - (e) the substance is applied no more than 2 months after the date of the public notice referred to in paragraph (c); and
 - (f) if the person is not the occupier of the area over which the substance will be applied, the person has given notice of the proposed aerial application to the officer in charge of the police station that is nearest to the application area.
- (2) The public notice referred to in subclause (1)(d) must—
 - (a) be given with sufficient prior notification, but no more than 2 months, before the proposed aerial application; and
 - (b) specify the following:
 - (i) the approximate date on which the substance will be applied:

- (ii) the name and nature of the substance:
- (iii) a description of the area over which the substance will be applied, including—
 - (A) the boundaries of the area; and
 - (B) districts, roads, and other commonly known features that may identify the place:
- (iv) the location or locations where members of the public may view maps of the area over which the substance will be applied, and the times when such maps may be viewed:
- (v) the name and address of the person responsible for the application of the substance.

6 Requirements for aircraft carrying out aerial application

- (1) An aircraft that is carrying out an aerial application must not, when flying to or from the area where the hazardous substance is applied, fly over a—
 - (a) place specified (if any) in a permission granted in relation to the substance in accordance with clause 3 as being a place over which such an aircraft must not fly; or
 - (b) public drinking water supply; or
 - (c) waterway that is less than 100 metres upstream of a point of extraction from a water source for a drinking water supply (not being a water supply exclusively for stock).
- (2) Every aircraft that has carried out an aerial application, and all equipment used in connection with the aerial application, must be decontaminated before the aircraft or equipment is—
 - (a) used for another purpose; or
 - (b) removed from a place from which the application operation has been carried out.
- (3) When an aerial application being carried out on a day has ceased for that day, the loading area, and any area where the substance is stored in preparation for loading the substance on to or into the aircraft, must be—
 - (a) decontaminated; or
 - (b) fenced so that—
 - (i) people do not inadvertently enter the area; and
 - (ii) stock cannot gain access to the area.
- (4) An area that is fenced in accordance with subclause (3)(b) must have signs erected at the perimeter of the fence in accordance with subclause (5).
- (5) The signs referred to in subclause (4) must—

- (a) state that people and stock should stay out of the area until the signs, and any fence around the area, have been removed; and
 - (b) identify the person responsible for the place, and provide sufficient information to enable the person to be contacted during normal business hours; and
 - (c) identify the substance and state that it is toxic to human beings and ecotoxic to other vertebrates; and
 - (d) comply with regulations 34 and 35 of the Hazardous Substances (Identification) Regulations 2001, except that regulation 35 applies as follows:
 - (i) in relation to the information required to be included on the signs by paragraphs (a) and (b), as if the distances referred to in regulation 35(3)(c) of those regulations were a distance of not less than 2 metres; and
 - (ii) in relation to the information required to be included on the signs by paragraph (c), as if the distances referred to in regulation 35(3)(c) of those regulations were a distance of not less than 10 metres.
- (6) The signs and the fence required by this clause must remain in place until the place is decontaminated.

7 Lost, spilt, or unintended application of substances

If a hazardous substance described in Schedule 1 is applied other than in the intended application area, or is lost or spilt, the person who is in possession of the substance at the time that it was misapplied, lost, or spilt must report the nature and quantity of the substance within 24 hours of the substance being misapplied, lost, or spilt to—

- (a) if a permission was granted in accordance with clause 3 to apply or otherwise use the substance, the person who granted the permission; and
- (b) the officer in charge of the nearest police station to which the person has access; and
- (c) the nearest Medical Officer of Health or the Medical Officer of Health in whose region the substance was misapplied, lost, or spilt; and
- (d) each owner or occupier of land on which the substance may have been misapplied, lost, or spilt; and
- (e) the person on whose behalf the substance is being applied.

8 Unauthorised persons to stay clear of application area of substances

- (1) A person who is not lawfully assisting in the application or use of a hazardous substance described in Schedule 1 must not remain in the vicinity of the application or use of the substance (as the case may be).
- (2) An enforcement officer may order a person who contravenes subclause (1) to immediately leave the area in which the substance is being applied or used.

Schedule 4

Transitional controls

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-

1 Purpose of Schedule

- (1) The purpose of this Schedule is to provide for a transitional period to allow persons dealing with hazardous substances to which this notice applies to comply with the Act, and controls under the Act, in relation to those hazardous substances.
- (2) This Schedule achieves the purpose described in subclause (1) by—
 - (a) providing that, for a period of 4 months from the commencement of this notice, a person may comply with the obligations and restrictions that applied to those substances immediately before the commencement of this notice, as if this notice (other than this Schedule) had not been given; and
 - (b) providing for obligations and restrictions that apply after the expiry of that 4 month period to progressively impose the requirements of the Act, and controls under the Act, in relation to those substances.

2 Persons may comply with Act and controls at any time

Except as specifically provided in this Schedule, this Schedule does not prevent a person from complying with the Act, and controls under the Act, as if this Schedule did not exist.

3 Schedule does not apply to substance in stationary container system

Nothing in this Schedule applies to a stationary container system to which Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (*Gazette*, 2004, No 35 p 767) applies by virtue of clause 6(1)(i) of this notice.

4 Compliance with obligations and restrictions as at 30 June 2005 for transitional period

- (1) A person complies with the Act in relation to a hazardous substance to which this notice applies, if the person complies with all obligations and restrictions that were in force in relation to the hazardous substance as at the close of 30 June 2005.

- (2) This clause is subject to any other provision of this Schedule.
- (3) This clause expires with the close of 31 October 2005.

5 Transitional provisions for licences

- (1) This clause applies to every licence granted or deemed to be granted for the purposes of section 178 of the Act that is in force immediately before the close of 30 June 2005.
- (2) Every licence to which this clause applies continues in force for the purposes of this Schedule.
- (3) On and from 1 November 2005, every licence to which this clause applies is deemed to be a licence granted under section 95B of the Act as required by clause 4 of Schedule 3.
- (4) A licence deemed to be granted under subclause (3) authorises the holder to possess hazardous substances to which the licence relates.
- (5) A licence deemed to be granted under subclause (3) expires—
 - (a) if an application is made in accordance with clause 6, on the date that the application is granted or declined; or
 - (b) if an application is not made in accordance with clause 6, at the close of the month in which the application is required by that clause to be made.

6 Application for licence

- (1) The holder of a licence to which clause 5 applies must apply for a licence under section 95B of the Act as required by clause 4 of Schedule 3.
- (2) An application under subclause (1)—
 - (a) may be made at any time before the close of 31 January 2006; but
 - (b) if it has not been made by that date, must be made during and before the close of the month specified in column 1 of the following table opposite the first letter of the surname of the person specified on the licence referred to in clause 5(1) as the holder of the licence, in column 2 of the table:

Column 1	Column 2
Month	First letter of name
February 2006	A, B
April 2006	C
June 2006	D, E, F
August 2006	G, H
October 2006	I, J, K, L, M
November 2006	N, O, P
January 2007	Q, R, S

March 2007

T, U, V

April 2007

W, X, Y, Z, Other

7 Transitional provisions for importers, manufacturers and suppliers

- (1) Clause 4 of Schedule 3 does not apply to any person in possession of a hazardous substance described in Schedule 1 in his or her capacity as an importer, manufacturer, or supplier of such hazardous substance if on or before 30 June 2005 they were engaged in the activities of importing, manufacturing or supplying that substance.
- (2) This clause expires with the close of 30 April 2007.

8 Packaging

- (1) Packaging of a hazardous substance to which this notice applies is not required to comply with the Hazardous Substances (Packaging) Regulations 2001 if it complies with the requirements for packaging that applied to the hazardous substance at the close of 30 June 2005.
- (2) This clause expires with the close of 30 June 2007.

9 Identification, documentation, and signage

- (1) A person is not required to comply with the regulations specified in subclause (2) in relation to a hazardous substance to which this notice applies if the person complies with the requirement for identification, documentation, and signage in relation to that substance that applied to the hazardous substance at the close of 30 June 2005.
- (2) The regulations are—
 - (a) the Hazardous Substances (Identification) Regulations 2001; and
 - (b) regulations 11 to 14 of the Hazardous Substances (Disposal) Regulations 2001; and
 - (c) regulations 6 to 16, 18 to 20, and 42 of the Hazardous Substances (Emergency Management) Regulations 2001.
- (3) This clause expires with the close of 30 June 2007.

10 Emergency management response plans and secondary containment

- (1) A person in charge of a place where a hazardous substance to which this notice applies is present is not required to comply with regulations 25 to 41 of the Hazardous Substances (Emergency Management) Regulations 2001 if that person complies with the requirements for emergency management response plans and secondary containment that applied in relation to the substance at the close of 30 June 2005.
- (2) This clause expires with the close of 30 June 2006.

Schedule 5

Clause 8

Tolerable exposure limits, and application rates

1 Tolerable exposure limits

The following tolerable exposure limit (TEL) is set for each hazardous substance described in Schedule 1. The limit is for sodium fluoroacetate when it is a component of a substance described in that Schedule, and is expressed as an amount of sodium fluoroacetate per unit volume of water.

$$\text{TEL}_{\text{water}} = 0.0035 \text{ mg/litre}$$

2 Application rates

The following table specifies the application rate for aerial application of the substances specified in column 1. The application rate specified in column 2 is for each substance specified in column 1.

Column 1	Column 2
Substance	Application rate
Pellets containing 0.4 – 0.8 g/kg sodium fluoroacetate Pellets containing 1.5 – 2.0 g/kg sodium fluoroacetate Soluble concentrate containing 200 g/litre sodium fluoroacetate (when mixed with food bait)	For aerial application only: Not exceeding 30 g sodium fluoroacetate/hectare

Schedule 6

Clause 10

Methods of release and colours**1 Methods of release and colours**

The following table specifies for each substance specified in column 1—

- (a) the method or methods of release specified in column 2 for the substance; and
- (b) a colour specified in column 3 for the substance.

Column 1	Column 2	Column 3
Substance	Method(s) of release	Colours
Pellets containing 0.4 – 0.8 g/kg sodium fluoroacetate Pellets containing 1.5 – 2.0 g/kg sodium fluoroacetate Soluble concentrate containing 200 g/litre sodium fluoroacetate (when mixed with food bait)	Aerial application or ground-based application	Blue or green
Paste containing 0.6 – 0.8 g/kg sodium fluoroacetate Paste containing 1.5 g/kg sodium fluoroacetate Pellets containing 1.0 g/kg sodium fluoroacetate Paste containing 10 g/kg sodium fluoroacetate Gel containing 1.5 g/kg sodium fluoroacetate Gel containing 50 g/kg sodium fluoroacetate Gel containing 100 g/kg sodium fluoroacetate	Ground-based application	Blue or green