

APPLICATION 204199

Summary and submission guidance

Application details	
Submissions open	23 August 2021
Submissions close	4 October 2021
Application number	APP204199
Applicant	Vegetable Research and Innovation Board
Purpose	The applicant has requested the reassessment of insecticide substances containing diazinon, fenamiphos, and methamidophos, to extend the expiry of the time limited approvals
Application lead	Ben Deeble

Purpose of this document

On 25 February 2021, the Environmental Protection Authority (EPA) received an application from the Vegetable Research and Innovation Board for the reassessment of diazinon, fenamiphos, and methamidophos.

This application seeks to extend the phase-out dates for the time-limited approvals for substances containing these active ingredients.

The time limits were set in the 2013 reassessment of organophosphate and carbamate plant protection insecticides (APP201045).

This current application is being publicly notified to give others a chance to comment, and to put all relevant information before the decision-makers.

The purpose of this document is to summarise the application and to provide guidance on the submission process.

Application summary

This document is a summary of only the information provided in the application. It is not an assessment of the application produced by EPA staff.

The EPA will complete a staff assessment report at a later date, using information from the application, submissions, and other relevant sources.

Guidance for submitters

This document also provides guidance to the submission process.

We are particularly interested in hearing from submitters about:

- adverse effects, especially adverse effects not identified in the application.
- positive effects, especially positive effects not identified in the application.

Who to contact

If you have any questions, you can contact:

- The applicant, Vegetable Research and Innovation Board, for technical information about the application. Email Sally@solutionz.co.nz.
- The EPA for any question on the application or submission process. Email the application lead, Ben Deeble, at ben.deeble@epa.govt.nz or phone +64 4 474 5411.

Application summary

Diazinon, fenamiphos, and methamidophos are insecticides used for plant protection and biosecurity purposes.

The current expiry date for the time-limited approvals for substances containing these active ingredients is 1 July 2028 for diazinon, and 1 July 2023 for fenamiphos and methamidophos.

After these dates all substances that contain these active ingredients will no longer be approved.

The applicant, the Vegetable Research and Innovation Board, has proposed extending these dates by 10 years, to 2038 for diazinon and 2033 for fenamiphos, and methamidophos. It states that the expectations from the 2013 reassessment that new alternative substances would be found to replace diazinon, fenamiphos, and methamidophos have not been realised. Therefore, the applicant considers it critical that these substances remain available for certain uses.

The applicant has provided information on the availability and use patterns of other substances. The reasoning for this information is part of a confidential appendix. Further information has been requested from the applicant under section 52 and 59 of the Hazardous Substances and New Organisms Act (HSNO Act).

The applicant has not proposed any other changes, however the EPA has used its discretionary powers to set the scope of the reassessment to allow for other changes to the controls should information which arises in the reassessment justify these changes.

The scope of this reassessment

The Vegetable Research and Innovation Board applied in 2020 for grounds for the reassessment of diazinon, fenamiphos, and methamidophos (APP203975).

A Decision-making Committee decided, on 08 May 2021, that grounds exist under the criteria “information showing a significant change of use” under section 62(2)(c) of the HSNO Act.

This reassessment is a “modified reassessment” under section 63A of the Act, and the scope of this reassessment is limited to the following:

- hazard classifications
- benefits, in particular in relation to the availability of alternatives
- time limitations on the approvals
- the risks associated with the use of the substances

- any interim controls required to manage the substances until the expiry date of the time limited approval.

The full application including supporting information (excluding confidential material) is available from the EPA website by searching the term “APP204199”.

Guidance for submitters

What information we’re seeking

We are interested in receiving information that relates to either the positive or negative effects of the proposed changes to the approvals for diazinon, fenamiphos, and methamidophos.

In a submission you can provide information, make comments, raise issues or indicate support. Your submission contributes to the EPA decision-making process.

Contributions to the adverse effects assessment

We will base our adverse effects assessment on the evidence provided by the applicant, other available sources, and information from submissions.

The applicant has not provided any new adverse effects or risk assessment information on these substances. It has proposed that this reassessment review the benefits assessment from the previous reassessment of these substances, and that the risks as described in the previous reassessment were still valid and did not need to be updated.

Please let us know if you think there are additional adverse effects we should consider, or you have additional information related to the described effects.

Contributions to the positive effects assessment

We will base our positive effects, or benefits, assessment on the evidence provided by the applicant, other available sources, and information from submissions.

The applicant has identified potential benefits associated with the proposed change to the controls as follows:

- continued ability to address specific pest control needs of industries that are reliant on these substances
- maintaining biosecurity tools for import and export markets, and for rapid responses to pest incursions

- extended timeframe to develop alternative substances through various research programmes.

For more detail, see section 5 (page 15) and section 7 (pages 18 to 23) of the full application.

Please let us know if you think there are other positive effects that we should consider, or you have additional information related to the described effects.

Other information

If there is other information you wish us to be aware of, please also include this in your submission.

About the submission process

Making a submission

We encourage anyone to make a submission, regardless of how much detail they can provide.

If you choose to make a submission, you can also request to speak at a hearing. This can be a way to strengthen your views in person, speaking before the Decision-making Committee.

You can find further information about making submissions for a hazardous substance application on the EPA website:

<https://www.epa.govt.nz/public-consultations/how-to-make-a-submission/>

Providing confidential information

We make all submissions publicly available. They will be displayed on the application web page after submissions close.

If you have confidential information you wish to provide, please contact the application lead, Ben Deeble by email Ben.Deeble@epa.govt.nz or by phone +64 4 474 5411.

How to make a submission

The EPA website provides guidance on how to make a submission.

You can make a submission by filling out our online submission form.

[Go to the online submission form](#)

If you prefer, you can download a submission form and then email or post it to the address stated at the top of the form:

[Download a submission form](#)

Alternatively, you can make a submission as a letter or email to the EPA.

What happens after you make a submission

When the submission period closes, the EPA will summarise all submissions and provide them to the Decision-making Committee, along with the EPA Staff Assessment Report.

The EPA will set a date for the Decision-making Committee to consider the application. It may also hold a hearing, if any interested party (applicant or submitters) requests it.

If there is a hearing, submitters are entitled to bring witnesses who may speak to their submission.

If you choose this option, you should provide the EPA with a list of the witnesses, their areas of expertise, and the elements of the submission or application they will talk to.

You are also entitled to speak at the hearing in one of the three official languages of New Zealand: English, Māori or New Zealand Sign Language.

Please advise the application lead at least two weeks prior the hearing in order for the EPA to organise for an interpreter.

At least two weeks prior to the hearing, both the applicant and submitter(s) must provide the EPA with copies of any information they intend to present at the hearing.

The Decision-making Committee will make a decision at the end of the consideration period.

This decision will be made public on the EPA website.