

Temporary Restriction of Use During Reassessment for Chlorthal-Dimethyl-Containing Substances

Pursuant to section 64A of the Hazardous Substances and New Organisms Act 1996 (“HSNO Act”), the Environmental Protection Authority issues the following notice.

Notice

1. Title

This notice is the temporary restriction of use during reassessment for chlorthal-dimethyl-containing substances (“substance”).

2. Commencement

This notice comes into force on 13 September 2024.

3. Interpretation

(1) In this notice, words and phrases have the meanings given to them in the HSNO Act and in Regulations made under the HSNO Act.

(2) In this notice, the following words have the following meanings:

Chlorthal-dimethyl-containing substances means wettable powder containing 750g/kg chlorthal-dimethyl approved under the HSNO Act with approval number HSR000646.

4. Temporary restriction on use

From 13 September 2024, in addition to the controls imposed by HSNO approval HSR000646, the following restrictions apply to any use of the substance:

(1) The substance can only be used as a pre-emergent herbicide on allium crops as a single treatment per calendar year.

(2) No mixing, loading, or application of the substance by pregnant individuals or individuals that may be pregnant.

(3) Pregnant individuals or individuals that may be pregnant must not enter the application plot for five days post application.

(4) Prior to application, signs must be erected at every vehicular and pedestrian point of entry to the application plot, and:

a. The signs must remain in place for a minimum of five days post application of the substance; and

b. The signs must indicate:

(i) The name of the hazardous substance that has been applied;

(ii) Risk to fetal development;

(iii) Pregnant individuals or individuals that may be pregnant must not enter the application plot until [DATE], where [DATE] is at least five days after application of the substance; and

c. The signs must be compliant with the requirements specified in regulation 2.5(2)(c) of the Health and Safety at Work (Hazardous Substances) Regulations 2017.

(5) The substance must not be applied at a rate greater than 10.5kg ai/ha.

(6) The substance must not be applied within 30 metres of any track or road accessible to the public, public hut, dwelling, township, beach, or anywhere there is recreational activity in the area.

(7) The substance must only be applied by a low boom sprayer using coarse (or larger) spray droplets, as defined by the American Society of Agricultural and Biological Engineers ASABE Standard (ASAE S572).

(8) The substance must not be applied when wind speeds are less than 3km/h or more than 20km/h as measured at the application plot.

5. Time frame

These restrictions remain in force until the earliest of the following:

i. the date on which a reassessment application relating to the substance is approved or declined

ii. the date on which a reassessment application relating to the substance is withdrawn

iii. the date that is one year after the commencement of this notice if no reassessment application relating to the grounds decision under section 62(2) of the HSNO Act has been lodged for the substance.

NEW ZEALAND GAZETTE

Dated at Wellington this 13th day of September 2024.

DR ALLAN L. FREETH, for and on behalf of the Environmental Protection Authority.

2024-au4656

13-09-2024 17:01
