

How the Hazardous Substances and New Organisms Act works alongside other legislation to protect New Zealand from unwanted pests and harmful organisms by imposing controls on the import of plants, foodstuffs and animals. The Ministry of Primary Industries administers it. The Biosecurity Act is used to approve and monitor the facilities that meet the Environmental Protection Authority's (EPA's) approval requirements. It contains the power to approve and monitor specific facilities for containing organisms in New Zealand is done under the Hazardous Substances and New Organisms Act. Biosecurity Act 1993 [New Zealand, whether imported or locally produced, is safe and suitable for consumption. Food Must be labelled as genetically modified if it contains DNA or protein from a genetically modified (GM) source. The Ministry for Primary Industries (MPI) administers the Act. The HSNO Act overlaps with the Food Act because food can expose people to the toxic effects of hazardous substances used as a pesticide or a food additive. Food additives are covered by the HSNO Act and require approval. Ready-to-eat food is not covered by the HSNO Act.MPI is the statutory body responsible for setting limits for hazardous substances are used in food. For further information see Food safety [MPI website]Agricultural Compounds and Veterinary Medicines Act 1997 (ACVM Act) aims to prevent or manage risks associated with the use of agricultural compounds such as risks to animal welfare and risks to agricultural compounds is available. The Ministry of Primary Industries administers the Act. The ACVM Act overlaps with the HSNO Act because a number of the compounds used in agricultural Compounds and Veterinary Medicines Act 1997 [New Zealand Legislation website]Gas Act 1992The safe use of fuel gases in systems such as town gas reticulation is controlled under the Gas Act 1992 which is administered by the Ministry of Business, Innovation and Employment (MBIE). There is an overlap of interest with hazardous substances legislation because these fuel gases are flammable and may also have toxic properties. The HSNO Act provides performance requirements to limit the likelihood of harmful effects from these properties. The HSNO Act also allows for the EPA and MBIE to consult on gas regulations. MBIE is the regulatory authority responsible for setting controls on fuel gases when used as specified under the Gas Act 1992 [New Zealand Legislation website]Health and Safety at Work Act 2015The purpose of the Health and Safety at Work Act (HSW Act) is to 'provide for a balanced framework to secure the health and safety of workers and workplaces'. It obliges people who have a role in a workplace to prevent harm from hazards, which include hazards, which include hazards in the workplace for a balanced framework to secure the health and safety of workers and workplaces'. It obliges people who have a role in a workplace for a balanced framework to secure the health and safety of workers and workplaces'. with both the HSW and HSNO Acts. To find out more about the HSW Legislation [WorkSafe website]. Health and Safety at Work Act 2015 [New Zealand Legislation website]. Health and Safety at Work Act 2015 [New Zealand Legislation website]. interest with the HSNO Act because some medicines are also hazardous substances. Regulations under the HSNO Act apply to the safe transport and storage of medicines in their finished-dose form. The Medicines are also hazardous substances. Regulations under the Medicines Act.Medicines Act 1981 [New Zealand Legislation website] Building Act 2004 and regulations The Buildings are structurally safe, while the HSNO Act sets controls to ensure that specialised containers and buildings can safely contain the hazardous substances (eg, explosives magazines and bulk petroleum storage tanks) that they are designed to hold.Building Act 2004 [New Zealand Legislation website]Ozone Layer Protection Act 1996This Ozone Layer Protection Act 1996 [New Zealand Legislation website] The Imports and Exports (Restrictions) Prohibition Order (No 2) 2004New Zealand is a party to several multilateral agreements relating to the import and export of hazardous waste can be imported to, or exported from, New Zealand.For more information see Shipping hazardous waste [EPA website].Transport legislation fransport legislation includes the Land Transport Act 1998, the Land Transport Rules, the Maritime Safety Rules and the Civil Aviation Rules. Transport legislation requires that: hazardous substances are contained or packaged to withstand the conditions of transport (eg, loads imposed by a ship rolling at sea or the reduced pressure in an aircraft flying at altitude) and are identified so that they can be correctly managed in transport operators know about and comply with the appropriate requirements of the HSNO Act (demonstrated by hazardous substances endorsements on drivers' licenses). The HSNO Act requires the following. No Text Content! Amended as at 8 September 2010 Amended as at 15 June 2009 and 1 July 2010 Hazardous Substances and New Organisms Act 1996Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006Pursuant to section 96B of the Hazardous Substances and New Organisms Act 1996 (the Act), the Environmental Risk Management Authority, on its own initiative, issues this Group Standard. Contents 1 Title1 2 Commencement.13 ..1 4 Scope of Group Standard . ..2 5 Conditions of Group Standard..... ...4 SCHEDULE 1 CONDITIONS OF GROUP STANDARD5 Part 1 Information Requirements5 Part 2 Site and Storage ..13 Part 3 Approved Interpretation .19 Part 7 Disposal . .. 16 Part 5 Equipment.. .18 Part 6 Transportation... Handler. .14 Part 4 Packaging.19 Part 8 Exposure Limits.... ..21 Part 9 Notification to the .22 SCHEDULE 2 TRANSITIONAL CONDITIONS .23 SCHEDULE 3 INTERPRETATION . .28 EXPLANATORY NOTE .. Authority .21 Part 10 Other Matters .321 Title Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 HSNO Approval Number The HSNO Approval Number for this Group Standard is HSR002669.2 Commencement This Group Standard comes into force on 1 July 2006 and applies to substances under section 96B(2)(a), (b) and (c) of the Act.3 Interpretation(1) In this Group Standard, unless the context otherwise requires, words and phrases shall have the meanings given to them in Schedule 3.(2) In this Group Standard, references to hazardous property of a substance being equivalent to a specified HSNO hazard classification, means a references to the specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to a specified hazard classification as set out in the Hazardous Substance being equivalent to (Flammable, Toxic [6.7]) Group Standard 2006 1 4 Scope of Group Standard Substances covered by Group Standard (1) This Group Standard applies to substance referred to in subclause (1) must be— (a) a flammable liquid— (i) with a flashpoint of less than 23°C and an initial boiling point of greater than or equal to 60°C (HSNO 3.1B classification); or (ii) with a flashpoint of greater than or equal to 23°C and less than or equal to 60°C (HSNO 3.1C classification); or (ii) with a flashpoint of greater than or equal to 23°C and less than or equal to 23°C and les the hazards referred to in subclause (2), a substance may have any of the following (but only the following) hazards: (a) acute toxicity, HSNO 6.3A or 6.3B classification; (b) skin irritancy, HSNO 6.4A classification; (c) eye corrosivity, HSNO 6.4A classificat respiratory sensitisation, HSNO 6.5A classification; (f) contact sensitisation, HSNO 6.5B classification; (g) mutagenicity, HSNO 6.6A or 6.6B classification; (i) target organ toxicity, HSNO 6.8A, 6.8B or 6.8C classification; (j) ecotoxicity, HSNO 6.5B classification; (j) ecotoxicity, HSNO 6.5B classification; (j) ecotoxicity, HSNO 6.5A classification; (j) ecotoxicity, HSNO 6.6A or 6.6B classification; (j) ecotoxicity, HSNO 6.5B classification; (j) eco Standard(4) This Group Standard excludes— (a) antifouling paints; and (b) cosmetic products; and (c) paints used on trees, shrubs or any other plant for the treatment of wounds or pruning cuts; and Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 2 (d) timber treatment chemicals or antisapstain agents used in the commercial treatment of timber at industrial facilities; and (e) any paint that contains a pesticide active other than one or more of the following: (i) benzalkonium chloride; (ii) copper naphthenate; (iii) iodocarb; (iv) octhilinone; (v) oxine copper; (vi) sodium borate; (vii) zinc naphthenate; (iii) copper naphthenate; (iii) c colour paints.](5) Subject to subclause (4)(e), the maximum concentration of each pesticide active allowed in any paint is— (a) benzalkonium chloride, 2.5%; (b) copper naphthenate, 35%; (c) iodocarb, 2.5%; (d) octhilinone, 2.5%; (e) oxine copper, 2.5%; (f) sodium borate, 30%; (g) zinc naphthenate, 35%.(6) Subclause (4)(e) does not apply to a biocidal component of a paint that is used as an in-can preservative or dry film biocide.(7) No substance shall be permitted under this Group Standard if it contains a chemical that is a CMR that is not listed on the Inventory of Chemicals, unless— (a) the new CMR has a lower hazard classification than the existing CMR; and (c) clause 22 of Schedule 1 is complied with.(8) Despite clause 22 of Schedule 1, no substance shall be permitted under this Group Standard if it is a hazardous chemical that is not listed on the Inventory of Chemicals.Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 3 (9) For the purposes of subclause (8), "chemical" means any element or compound in its natural state or obtained by any production process, including any solvent which may be separated without affecting the stability of the chemical or change its composition.5 Conditions of Group Standard The obligations and restrictions set out in Schedules 1 and 2 to the Group Standard apply to the substances by way of conditions. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard apply to the substances by way of conditions. information(1) Any information (including advertising) provided or required to be made available or supplied under this Part (Information Requirements) must be readily understandable and durable.(2) Any information provided must not include any statement, expression, device, trade name or description that— (a) contradicts or modifies any expression required by this Group Standard to be on the label; or (b) is false or misleading in relation to the substance; or (d) misrepresents any property of the substance is labelled in accordance with the following requirements. Hazard information required on each label(2) A label must provide the following general information about a substance: (a) the product name; and (b) enough information to enable the New Zealand importer, supplier or manufacturer to be contacted, either in person or by telephone; and (c) in the case of a HSNO 6.1D, 6.1E, 6.3A, 6.3B, 6.4A, 6.5A, 6.5B or 8.3A substance, a 24 hour emergency telephone number.(3) Where a substance is available to the general public— (a) for a HSNO 6.1D, 6.1E or 8.3A substance, there must be— (i) on the main label, the general precautionary statement 'Keep out of reach of children'; and Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 5 (ii) on the label, the general precautionary statement 'If medical advice is needed: Have product container or label at hand'; and (b) for all substances, there must be on the label, the general precautionary statement 'Read label before use'.(4) A label must provide the following hazard information about the substance: (a) pictograms, signal word and hazard statements for flammable, carcinogenic liquids to appear on the main label— (i) the pictogram for carcinogenicity; and (ii) the applicable signal word, either— (I) 'danger' in the case of a HSNO 3.1B and/or HSNO 6.7A substance; or (II) 'warning' in the case of a HSNO 3.1C substance, unless the substance is a HSNO 6.5A, 6.6A, 6.8A, 6.9A or 8.3A substance in which case of a HSNO 3.1B substance; or (II) 'flammable liquid and vapour' in the case of a HSNO 3.1C substance; and (v) the applicable carcinogenic hazard statement, either— (I) 'may cause cancer' in the case of a HSNO 6.7A substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; and (b) where a substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) 'suspected of causing cancer' in the case of a HSNO 6.7B substance; or (II) and hazard statements as listed in Tables 1 and 2 of the document Labelling of Hazardous Substances: Hazard and Precautionary Information published by the Authority, July 2006 must appear on the label must provide the applicable precautionary (prevention, storage and response) statements as listed in Tables 3 to 5 of the document Labelling of Hazardous Substances: Hazard and Precautionary Information published by the Authority, July 2006. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 6 (5) A single indication may be used if it is capable of conveying two or more of the items of hazard information required by subclause (4). Disposal information required on each label(6) A label must provide a description of one or more appropriate and achievable methods for the disposal that must be avoided.Identification of components on label(7) Subject to subclause (8), a label must provide—(a) the common or chemical name and concentration of every ingredient that would, independently of any other ingredient, give the substance a HSNO 6.5, 6.6, 6.7, 6.8, 6.9 or 8.3 classification; and(b) the name of every ingredient (other than an ingredient referred to in subclause (a)) that would, independently of any other ingredient, give the substance a HSNO 6.5, 6.6, 6.7, 6.8 or 6.9 classification, the identification of the ingredient of the ingred required if the concentration of that component is at or above the concentration specified in Table 1. Concentration values triggering identification Cut-off, %6.5A, 6.5B, 6.6A, 6.7A 0.16.6B, 6.7B 16.8A, 6.8C 0.36.8B 36.9A, 6.9B 10(9) for the purposes of compliance with subclause (7)-(a) a generic name may be used to identify a group of ingredients in accordance with the provisions of regulation 26 of the Hazardous Substances (Identification) Regulations 2001; and(b) the concentration of an ingredient in a substance (Identification) Regulation 27 of the Hazardous Substances (Identification) Regulations 2001.Multiple packages(10) Where a substance is labelled in compliance with subclauses (1) to (9), but some or all of the substance must bear the labelling or marking required by—(a) subclauses (4)(a) and (b); or(b) the Land Transport Rule; or Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 7 (c) the Civil Aviation Rule; or (d) the Maritime Rule. Exemption from specific labelling requirements for ecotoxic substances (11) For a substance (4)(b) is not required; (b) HSNO 9.2, 9.3 or 9.4 classification, the corresponding pictogram, and hazard, prevention and response statements for small packages(12) When a substance is contained in a package with a capacity of 5 L or less, the label for that package does not need to provide the following information: (a) any pictogram required by subclauses (4)(b) and (b); and (b) the signal word, hazard and response statements for any HSNO class 9 hazards, as required by subclauses (4)(b) and (c). Exemption from specific labelling requirements for imported and exported packages(13) Where a substance has been imported into New Zealand in a closed package or in a freight container (and for any reasonable period after it arrives that is necessary to arrange compliance with the requirements of subclauses (1) to (9)) and where that substance is being carried from the place of importation to the destination stated in its importation documentation without having been removed from that package or container, subclauses (1) to (9) are complied with if the package or container concerned complies with the requirements of— (a) subclauses (4)(a) and (b); or (b) the Land Transport Rule; or (c) the Civil Aviation Rule; or (d) the Maritime Rule.(14) Where a substance is exported from New Zealand, subclauses (1) to (9) are complied with if the substance is labelled or marked as required by— (a) subclauses (4)(a) and (b); or (b) the Land Transport Rule; or (c) the Civil Aviation Rule; or (d) the Maritime Rule.Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 8 Alternative compliance measures for labelling(15) The requirements of substances (1) to (14) do not need to be met if a substance complies with— (a) the Hazardous Substances (Emergency Management) Regulations 2001, the Hazardous Substances (Disposal) Regulations 2001; or (b) a code of practice approved by the Authority under section 78 of the Act that specifies requirements equivalent to those set out in subclauses (1) to (14); or (c) the UN Globally Harmonised System of Classification and Labelling of Chemicals (GHS) and the requirements of subclauses (2); or (d) the relevant current labelling requirements of Australia, USA, Canada, the European Union or any other country as approved by the Authority, as if the substances were for sale or supply in those countries, and the requirements of subclause (2).(16) [Omitted] History Explanatory Note Clause 2(16) was omitted as at 1 July 2010 via the Labelling Requirements in Group Standards (Amendment) Notice 2010 – New Zealand Gazette 3 June 2010. The omitted words are as follows: "Subclauses (1) to (9) do not apply provided the substance is transported in bulk, subclauses (1) to (9) do not apply provided the substance is transported in bulk. or (b) the Civil Aviation Rule; or (c) the Maritime Rule.(18) For the purposes of substance in a container in an undivided quantity shall provide a safety data sheets (1) A person, when selling or supplying a substance in a container in an undivided quantity shall provide a safety data sheet for the substance supplied to the recipient if— (a) the substance is likely to be used in a place of work; and (b) they have not previously supplied a safety data sheet for that substance to the recipient. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 9 (2) In each place of work where the substance is manufactured, stored or used, the person in charge of the place must ensure that every person handling the substance has access to a safety data sheet for that substance. (3) The safety data sheet must be available to a person handling the substance within 10 minutes, and be readily understandable by any fully trained worker required to have access to it. (4) A person who manufactures or supplies a substance in New Zealand or imports a substance into New Zealand must, if asked to do so by any person in charge of a place of work where a substance is stored or used, give that person the required safety data sheet. (5) Information required on a safety data sheet must be provided under the following general headings in the order listed below, and must include the information referred to under those headings: (a) 'Identification of the substance and supplier'— (i) product name; and (ii) recommended uses; and (ii) recommended uses; and (iii) name of the substance, which may include its including an emergency contact; (b) 'Hazards identification'— (i) a description of the substance, which may include its including an emergency contact; (b) 'Hazards identification'— (i) a description of the substance and supplier'. HSNO hazard classification; and (ii) hazard information, including signal words, hazard statement(s); (c) 'Composition/information on ingredients'— (i) in the case of single component substances, their chemical identity, including common names and synonyms, CAS number and any impurities that are themselves hazardous; or (ii) in the case of substances that are mixtures, the chemical identity of each hazardous ingredient, their CAS number and their concentration ranges; (d) 'First aid measures'— (i) first aid instructions according to each relevant route of exposure; and (ii) whether medical attention is required, and its urgency; and (iii) information on the most important symptoms and effects, acute and delayed, from exposure; (e) 'Fire fighting measures'—Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 10 (i) information on the appropriate type of extinguishers or fire-fighting agents, including extinguishers that may not be appropriate for a particular situation; and (ii) any advice on hazards that may arise from combustion products; and (ii) precautions for fire fighters and protective clothing requirements; (f) 'Accidental release measures'— (i) advice on how to contain and clean up a spill or release;(g) 'Handling and storage'— (i) precautions for safe handling; and (ii) conditions for safe storage, including any incompatibilities;(h) 'Exposure controls/personal protection'— (i) exposure limits set for the substance or any of its components, or in their absence, relevant overseas exposure limits; and (ii) reported, the method of determination; (j) 'Stability and reactivity'— (i) an indication of the chemical stability of the substance under normal and anticipated storage and handling conditions; and (ii) a list of conditions; and (iii) information; (j) 'Toxicological information'— (i) a normal and anticipated storage and handling conditions; and (iii) a list of conditions; and (ii (i) a full description of the toxicological (health) effects, including the symptoms or signs of injury or ill health; and (iii) a summary or ill health; an of the data used to identify the health effects; (l) 'Ecological information'— (i) ecotoxicity; and (ii) persistence and degradability; and (ii) special precautions to be taken during disposal; and (iii) any method of disposal that should not be used; (n) 'Transport information'— If relevant, (i) the UN number; and (ii) the proper shipping name; and (iii) the UN Dangerous Goods class and subsidiary risk; and (iv) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (ii) the UN Dangerous Goods class and subsidiary risk; and (iv) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (iii) the UN Dangerous Goods class and subsidiary risk; and (iv) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (iv) the UN Dangerous Goods class and subsidiary risk; and (iv) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (iv) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (iv) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (iii) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (iii) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (iii) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (ii) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (ii) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (iii) the UN Packing Group; (o) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (ii) 'Regulatory information'— (i) HSNO approval number and/or title of the Group Standard; and (ii) 'Regulatory information'— (ii) 'Regulatory information'— (ii) 'Regulatory information'— (ii) 'Regulatory information'— (ii) 'Regulatory informa other regulatory requirements; (p) 'Other information'— (i) date of preparation or revision of the safety data sheet; and (ii) a key/legend to abbreviations and acronyms used.(6) Where a substance is being transported, a safety data sheet is not required if— (a) there is in the vehicle concerned documentation complying with the Land Transport Rule whilst being transported by land; or (b) there is in the ship concerned documentation complying with the Civil Aviation Rule whilst being transported by air. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 12 4 Advertising Where a substance with an acute toxic hazard (HSNO 6.1D or 6.1E classification) and/or a corrosive hazard (HSNO 8.3A classification) is advertised to members of the public, and the person to whom the advertising is directed is not provided with a reasonable opportunity to read and consider the information required to be on the product label prior to purchase of the substance, any advertising (whether written, screen or audio) must include in readily understandable form the following information: (a) an indication that the substance is acutely toxic and/or corrosive (whatever the case may be); and (b) the need to restrict access by children to the substance. Part 2 Site and Storage5 Compliance with site and storage requirements(1) Any location at which a substance, or Table 3 for a HSNO 3.1C substance, or Table 3 for a HSNO 3.1C substance, or Table 3 for a HSNO 3.1C substance is manufactured or stored in quantities that exceed those set out in Table 2 for a HSNO 3.1C substance. and Storage Conditions for Class 3.1 Flammable Liquids published by the Authority, July 2006. Table 2. Trigger quantities beyond which site and storage conditions apply for a HSNO 3.1B substance Trigger QuantityLocation and transit depot test 100 L (closed containers up to and including 5 L) 50 L (open containers)Hazardous atmosphere zone 100 L (closed containers) 25 L (decanting) 51 (open occasionally) 1L (open containers) 25 L (decanting) 51 (open containers) 25 (open (for all other substances)Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 13 Table 3. Trigger QuantityLocation and transit depot test 500 L (closed containers greater than 5 L)certification 1,500 L (closed containers up to and including 5 L) 250L (open containers) Hazardous atmosphere zone 100 L (closed containers) 25 L (decanting) 5L (open occasionally) 1L (open containers in continuous use) Fire extinguishers 500 LResponse plans and 100 L (for a HSNO 9.1A substance); orsecondary containment 1,000 L (for a HSNO 6.1D, 6.5A, 6.5B, 6.7A, 9.1B or 9.1C 10,000 L substance); or (for all other substances)Signage 100 L (for a HSNO 9.1A substance); or 1,000 L (for all other substances)(2) The trigger quantities referred to in Tables 2 and 3 must take into account any other hazardous substance); or 1,000 L (for all other substances)(2) The trigger quantities referred to in Tables 2 and 3 must take into account any other hazardous substance that is present at that location. intended to contain, a substance must comply, to the extent applicable, with the controls for stationary container systems as set out in Parts 1 to 19 of Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004, notwithstanding clause 1(1) of that Schedule. Part 3 Approved Handler6 Approved handler requirement for HSNO 6.7A substances When present in quantities greater than 10 L, a HSNO 6.7A substance must be— (a) under the personal control of an approved handler who holds a current test certificate to manage HSNO class 6 substances; or (b) secured so that a person cannot gain access to the substance without tools, keys or any other device used for operating locks.7 Approved handler requirement for HSNO 3.1B substances When present in quantities greater than 5 L) or 500 L (when in containers up to and including 5 L), a HSNO 3.1B substance must be— (a) under the personal control of an approved handler who holds a current test certificate to manage HSNO class 3 substances; or (b) secured so that a person cannot gain access to the substance without tools, keys, or any other device used for operating locks. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 14 8 Exclusions to approved handler requirements Despite clauses 6 and 7 of this Schedule, a substance may be handled by a person who is not an approved handler is present at the place where the substance is being handled; and (b) the approved handler is available at all times to provide assistance, if necessary, to the person while the substance is being handled by the person.9 Exception to approved handler requirement for transported on land— (i) in the case of a 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— (I) for hire or reward, or in quantities which exceed those set out in Schedule 1 of the Land Transport Rule, has a current dangerous goods endorsement on his or her driver licence; or (II) in every other case, the Land Transport Rule is complied with; or (b) in the case of a substance being transported by sea, one of the following is complied with: (i) Maritime Rule; or (ii) International Maritime Dangerous Goods Code; or (c) in the case of a substance being transported by air, the Civil Aviation Rule 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. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 15 (3) Subclause (1)(c)— (a) applies to pilots, aircrew, and airline ground personnel loading and handling substances within an aerodrome, or within an aerodrome by non-airline ground personnel. Part 4 Packaging10 General packaging requirements Every person who packs a substance must— (a) select packaging that when filled and closed— (i) does not leak any substance under normal working conditions; and (ii) maintains its ability to retain its contents, if part of the contents are removed and the package resealed; and (iii) does not react with a substance in any way as to weaken the package; and (b) ensure that, if a substance is being packed into a package that has previously contained another substance. (i) both substances are compatible; or (ii) all practicable steps are taken to remove all residues of the original substance. (i) both substances are compatible; or (ii) all practicable steps are taken to remove all residues of the original substance. substance if it has been constructed, marked, and tested as a large package as provided in Chapter 6.6 of the UN Model Regulations.(2) When a substance is packaged in quantities less than or equal to 450 L, the packaging must comply with the requirements of— (a) UN Packing Group II for a HSNO 3.1B substance; or (b) UN Packing Group III for a HSNO 3.1B substance is packaged in quantities less than or equal to 450 L, the packaging must comply with the requirements of— (a) UN Packing Group II for a HSNO 3.1B substance; or (b) UN Packing Group III for a HSNO 3.1B substance is packaged in quantities less than or equal to 450 L, the packaging must comply with the requirements of— (a) UN Packing Group II for a HSNO 3.1C substance. Variation to UN Packing Group II requirements(3) Despite subclause (2)(a), a HSNO 3.1B substance may, as a minimum, be packaged in packaged i orSurface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 16 (b) Schedule 4 of the Hazardous Substances (Packaging) Regulations 2001 when— (i) in quantities less than or equal to 5 L, where specifically provided for by the UN Model Regulations. Variation to UN Packing Group III requirements(4) Despite subclause (2)(b), a HSNO 3.1C substance may, as a minimum, be packaged in packaging that complies with Schedule 4 of the Hazardous Substances (Packaging) Regulations 2001 when— (a) in quantities less than or equal to 5 L; or (b) in quantities less than or equal to 5 L; or (b) in quantities less than 450 L if it is a viscous substance that conforms with paragraphs 2.3.2.5 of the UN Model Regulations. Marking of Packaging(5) No manufacturer or importer of packaging designed and constructed for use with a substance may mark the packaging as specified in paragraphs 6.1.2 and 6.1.3 of the UN Model Regulations unless— (a) the markings comply with the corresponding elements of those paragraphs, including the codes for packaging type, UN Packing Group, and the UN packaging symbol; and (b) the codes marked for UN Packing Group II or the packaging has also been test certified as complying with the tests set out in Schedule 2 or Schedule 3 respectively of the Hazardous Substance that is not required to be packaged in UN Packing Group II or UN Packing Group III.12 Child resistant packaging(1) In the case of a HSNO 6.1D, 6.1E or 8.3A substance, when that substance is packaged in quantities of less than 2.5 L, that package must be child resistant, unless being sold or supplied to a place of work where children do not have access and the substance is for use in that place of work.(2) The requirements of subclause (1) do not need to be met if— (a) the substance complies with the requirements for child resistant packaging (if any) of Australia, USA or the European Union or any other country as approved by the Authority; and (b) the substance; orSurface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 17 (ii) an aspiration hazard.13 Specific packaging requirement for certain HSNO 6.1 substances(1) Any packaging containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a toxic substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D classification must be permanently identified as containing a liquid substance with a HSNO 6.1D substance container meets the container requirements for that substance of Australia, the European Union or any other country as approved by the Authority. Part 5 Equipment(1) A person who handles a substance in a place of work must use protective clothing or protective equipment that is designed, constructed and operated to ensure that the person— (a) does not come into contact with the substance; and (b) is not exposed to a concentration of the substance, or any component of the substance. (2) Subclause (1) does not apply to a substance that is contained in a closed package that complies with the requirements of Part 4 (Packaging).(3) The supervisor of a place of work must ensure that protective clothing or protective clothing or protective stance is accompanied by documentation specifying— (a) the circumstances in which the clothing or protective clothing or protective clothing or protective stance is accompanied by documentation specifying— (a) the circumstances in which the clothing or protective clothin maintaining the clothing or equipment.(4) In subclause (3)(a), "circumstances" include, if relevant, the presence of other substances, and the temperatures and pressures in or at which the clothing or equipment used to handle the substances. substance— (a) retains the substance, without leakage at all temperatures and pressure for which the equipment is intended to be used; and (b) dispenses or applies the substance, without leakage, at a rate and in a manner that the equipment is designed for. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 18 (2) The equipment must be accompanied by documentation containing information about the use and maintenance of the equipment to be used and the equipment to be used used to carry a substance must comply with the Hazardous Substances (Tank Wagons and Transportable Containers) Regulations 2004.17 Fire extinguishers/Where a motor vehicle is transporting a substance in quantities greater than those listed in Table 4, there must be present, in or on the vehicle, the number of fire extinguishers/listed in Table 4. Table 4. Trigger quantities for provision of fire extinguishers in vehicles Trigger Quantity No of fire extinguishers 3.1B 250 L 23.1C 500 L 218 Passenger service vehicle, the substance must— (a) be packaged in a sealed container; and (b) not exceed— (i) 1 L per package for a HSNO 3.1B or 8.3A substance; or (ii) 2.5 L per package for all other substances. Part 7 Disposal of substance (1) A substance must be disposed of by— (a) exporting the substance from New Zealand as waste; or (b) treating the substance must be disposed of by— (a) exporting the substance from New Zealand as waste; or (b) treating the su include depositing the substance in a sewage facility but does include—Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 19 (a) burning in an incineration facility, provided the burning is managed to the performance requirements of regulation 6(3)(b) of the Hazardous Substances (Disposal) Regulations 2001 in relation to blast overpressure, heat radiation and access by persons; or (b) depositing the substance in a landfill provided the landfill is managed to ensure that— (i) the substance will not at any time come into contact with an explosive or oxidising substance (HSNO class 1 or 5); and (ii) there is no ignition source in the vicinity of the disposal site that is capable of igniting the substance; and (iii) were the substance to ignite, no person or place where a person may legally be, would be exposed to more blast overpressure or heat radiation than that described in regulations 6(3)(b) of the Hazardous Substances (Disposal) Regulations 2001; and (iv) the concentration of the substance in any discharge from the landfill does not, after reasonable mixing, exceed any relevant tolerable exposure limit and/or environmental exposure limit set for the substance that is intended for recycling.20 Disposal of packaging(1) The conditions of this clause apply to a package that— (a) contained a substance; and (b) was in direct contact with the substance; and (c) is no longer to be used to containing any substance; and (b) be disposed of in a manner that is consistent with that of the substance it contained, taking into account the nature and type of the packaging.(3) Packaging (that may or may not contain any residual substance) that is lawfully disposed of by householders or other consumers through a public or commercial waste collection service is a means of compliance with subclause (2).(4) Notwithstanding subclause (2), a package may be reused or recycled if— (a) it has been treated to remove any residual contents of the substance; or (b) the residual contents of the package have been rendered non-hazardous. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 20 Part 8 Exposure Limits21 Compliance with exposure limits(1) Exposure limits are adopted for a substance or component(s) of a substance (as the case may be) to the extent (if at all) that they are set out on the register of exposure limits.(2) In the case of WES values, where a WES values of WES values, where a WES values of exposure limits.(2) In the case of WES values, where a WES value does not exist on the register of exposure limits.(2) In the case of WES values, where a WES values of WES values, where a WES values of exposure limits but is listed in the document referred to in subclause (3), the value or values specified in that document shall apply to the substance or any be) to the extent (if at all) that they are set out on the register of exposure limits.(2) In the case of WES values, where a WES values of exposure limits (2) In the case of WES values of exposure limits.(2) In the case of WES values of exposure limits (2) In the case of WES values of exposure limits.(2) In the case of WES values of exposure limits (2) In the case of WES values of exposure limits (2) In the case of WES values of exposure limits.(2) In the case of WES values of exposure limits.(2) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits (2) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) In the case of WES values of exposure limits.(3) I component of the substance.(3) The document referred to in subclause (2) 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. Part 9 Notification to the Authority22 Inventory of Chemicals(1) Where a substance is imported into or manufactured in, New Zealand after 30 June 2006, if that substance contains a hazardous chemical that is not listed on the Inventory of Chemicals, then the substance; and (b) the HSNO approval number and/or title of the Group Standard under which the substance has a deemed approval; and (c) the name and CAS number of the chemical not listed on the Inventory of Chemicals that is present in the substance; and (d) the concentration of that chemical in the substance; and (e) the hazardous properties of the chemical, including the provision of the relevant hazard data used to assign the substance (2) Subclause (1) applies subject to clauses 4(7) to (9) of this Group Standard (Scope of Group Standard). Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 21 Part 10 Other Matters 23 Australian Uniform Paint Standard Any substance permitted under this Group Standard that is intended for use as a paint must comply with the restrictions on use set out in the Australian Uniform Paint Standard, as per Appendix I of the Standard for the Uniform Scheduling of Drugs and Poisons (SUSDP) No.20.24 Multi-component kits(1) This clause applies to a substance that is sold or supplied as a multi-component kit, where the base material has a HSNO 5.2 classification.(2) A multi-component kit referred to in subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the labelling and packaging conditions of the Group Standard for the subclause (1) may, as a minimum, comply with the subclause (1) may, as a minimum, complex subclause (1) may, as a m base material provided— (a) the activator component is a HSNO 5.2D, 5.2E, or 5.2G substance that does not require temperature control; and (b) the volume of the activator component is separately packaged such that they will not interact dangerously in the event of leakage; and (d) each component of the multi-component kit complies with the relevant labelling and packaging conditions of the applicable Group Standard.(3) If a single safety data sheet is provided for the multi-component kit, it must contain the information required under clause 3 of this Schedule for both the base material and the activator component.25 Assigning a substance to a Group Standard(1) The manufacturer or importer of a substance who determines, or is otherwise independently advised, that the substance complies with clause 4 of this Group Standard (Scope of Group Standard) must keep a record of that determination or advice and have that record available for inspection.(2) The record must contain sufficient information to allow for independent verification that the substance complies with clause 4 of this Group Standard (Scope of Group Standard (Scope of Group Standard). Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard (Scope of Group Standard 2006 22 Schedule 2 Transitional Conditions1 Purpose of this Schedule is to provide for a transitional period to allow persons dealing with a substance to comply with the Act, and the conditions set out in Schedule 1, in relation to that substance.(2) This Schedule achieves the purpose described in subclause (1) by— (a) providing that, for a period of 6 months from 1 July 2006, a person may comply with the obligations and restrictions that applied to a substance immediately before that date, as if this Group Standard (other than this Schedule) had not been given; and (b) providing for obligations and restrictions to continue to apply after the expiry of that 6 month period in order to progressively impose the requirements of the Act, and the conditions set out in Schedule 1, in relation to that substance.2 Persons may comply with Act and conditions at any time Except as specifically provided in this Schedule 1, as if this Schedule did not exist.3 Substances and locations to which Schedule does not apply(1) Nothing in this Schedule applies to any of the following: (a) a substance that was not lawfully used in New Zealand immediately before 1 July 2006: (b) a hazardous substance at a hazardous substance that was not lawfully used in New Zealand immediately before 1 July 2006: (c) a substance at a hazardous substance location if the substance location if the substance at the location if the substance was not permitted to be stored at the location immediately before 1 July 2006.(2) Nothing in this Schedule applies in any way to substitute, override or remove any existing obligation or restriction imposed on a substance to which this Group Standard applies or any other substance to this Schedule applies or any other substance approved under the Act (howsoever approved).(3) Notwithstanding subclause (2), the requirements of this Schedule apply if those requirements are— (a) for a substance of a different hazard class; or (b) for a substance of the same class where the quantities specified in the document entitled Site and Storage Conditions for Class 3.1 Flammable Liquids published by the Authority, July 2006 (in this Schedule referred to as "Site and Storage Conditions") for the relevant obligation or restriction. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 23 4 Compliance with Parts 13 and 14 of the Act for transitional period(1) Parts 13 and 14 of the Act for tr Group Standard together with all regulations, notices and orders made under or referred to in those Parts and compliance with this Group Standard and the Act— (a) generally, for the period until the close of 31 December 2006; and (b) in relation to the obligations and restrictions specified in subclause (2), until the date stated in that subclause.(2) The obligations and restrictions are— (a) the information requirements set out in Part 4 of Schedule 1, until the close of 30 June 2008: (b) the packaging requirements set out in Part 8 of the Site and Storage Conditions, until the close of 30 June 2008: (d) the requirements in respect of fire extinguishers set out in Clause 16 of Schedule 1 and Part 7 of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of fire extinguishers set out in Clause 16 of Schedule 1 and Part 7 of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of fire extinguishers set out in Clause 16 of Schedule 1 and Part 7 of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of fire extinguishers set out in Clause 16 of Schedule 1 and Part 7 of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the requirements in respect of the Site and Storage Conditions, until the close of 30 June 2007: (e) the close of 30 June 2007: (f) the requirements in respect of secondary containment set out in Part 7 of the Site and Storage Conditions, until the close of 30 June 2007. (3) Notwithstanding subclause (2)(b), the requirement for child resistant packaging set out in Part 4 of Schedule 1 must be complied with from 1 July 2007 in respect of any substance for which child resistant closures are required in accordance with the provisions set out in the Standard for the Uniform Scheduling of Drugs and Poisons (No 20, 2005) published by the Australian Government under the Therapeutic Goods Act 1989.(4) Notwithstanding subclause (2)(f), the requirements for secondary containment in respect of a stationary tank or a process container (as those terms are defined in the Site and Storage Conditions) are those set out in clause 8.5 Transitional provision for hazardous substance locations(1) This clause applies to every licence granted by the Authority under section 217 of the Act, and every provisional licence granted under section 218 of the Act, that is in force immediately before the close of 30 June 2006.(2) Every licence to which this clause applies is deemed to be a test certificate issued under clause 19 of the Site and Storage Conditions.Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 24 (4) A test certificate referred to in subclause (3) is in force, clause 18(2) of the Site and Storage Conditions does not apply to the hazardous substance location to which the test certificate relates.6 Full test certificate for hazardous substance location The holder of a test certificate referred to in clause 5(3) must obtain a test certificate referred to in clause 5(3) must obtain a test certificate referred to in clause for hazardous substance location The holder of a test certificate referred to in clause 5(3) must obtain a test certificate referred to in clause 5 means a stationary container system to which Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 applies that, immediately before 1 July 2006— (a) was being used to contain a substance and construction of the stationary container system to that design had commenced.(2) An existing stationary container system is not required to comply with the provisions of Scheduled Toxic Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (except as required under this clause) if— (a) it is used— (i) in the case of a stationary container system to which it was used immediately before 1 July 2006; or (ii) in the case of a stationary container system to which it was designed; and (b) the person in charge of it complies with clauses 101 to 103 of Part 20 of Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (if required) provided that clauses 101 to 103 shall be read as if references to this Group Standard.(3) Despite subclause (2), Parts 18 and 19 of Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 apply to any repair, alteration, or maintenance performed on an existing stationary tank or process container(1) In this clause, existing stationary tank or process container means a stationary tank or process container that was in use immediately before 1 July 2006. Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 25 (2) During the period commencing on 1 July 2006 and ending with the close of 30 June 2009, an existing stationary tank or process container to which clauses 62 or 63 of the Site and Storage Conditions apply, complies with those conditions if it complies with the requirements for a secondary containment system that applied to it immediately before 1 July 2006.(3) On and from the end of the period specified in subclause (2), an existing stationary tank or process container must comply with— (a) clause 62 of the Site and Storage Conditions, if that clause applies; or (b) clause 63 of the Site and Storage Conditions, if that clause applies; or (c) a compliance plan; or (d) a code of practice approved by the Authority under section 78 of the Site and Storage Conditions, if that clause applies; or (b) clause 63 of the Site and Storage Conditions, if that clause applies; or (c) a compliance plan; or (d) a code of practice approved by the Authority under section 78 of the Site and Storage Conditions, if that clause applies; or (c) a compliance plan; or (d) a code of practice approved by the Authority under section 78 of the Site and Storage Conditions, if that clause applies; or (d) a code of practice approved by the Authority under section 78 of the Site and Storage Conditions, if that clause applies; or (d) a code of practice approved by the Authority under section 78 of the Site and Storage Conditions, if that clause applies; or (d) a code of practice approved by the Authority under section 78 of the Site and Storage Conditions, if that clause applies; or (d) a code of practice approved by the Authority under section 78 of the Site and Storage Conditions, if that clause applies; or (d) a code of practice approved by the Authority under section 78 of the Site and Storage Conditions, if that clause applies; or (d) a code of practice approved by the Authority under section 78 of the Site and Storage Conditions, if that clause applies; or (d) a code of practice approved by the Authority applies; or (d) a code of practice approved by the Authority applies; or (d) a code of practice approved by the Authority applies; or (d) a code of practice approved by the Authority applies; or (d) a code of practice approved by the Authority applies; or (d) a code of practice approved by the Authority applies; or (d) a code of practice approved by the Authority applies; or (d) a code of practice approved by the Authority applies; or (d) a code of practice approved by the Authority approximate applies; or (d) a code of practice approximate approximat stationary tank or process container setting out— (a) a programme for bringing the stationary tank or process container into compliance with clauses 62 or 63 of the Site and Storage Conditions; or (b) variations to the requirements of those conditions; or (c) both. (5) On receiving an application under subclause (4), the Authority must— (a) approve the compliance with this clause is deemed to be compliance with clauses 62 or 63 of the Site and Storage Conditions for the purposes of— (a) clause 92(2)(c) of Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004; and (b) clause 19(f) of the Site and Storage Conditions.9 Existing tank wagons and Transportable Containers) Regulations 2004; and (b) existing tank wagon means a tank wagon to which regulation 4(2) of the regulations applies that, immediately before 1 July 2006, was being used to transport a substance covered by this Group Standard 2006 26 (2) The person in charge of an existing tank wagon which does not meet the applicable requirements of regulations 4(3)(a) or (b) or 4(4) of the regulations must comply with clauses 18(2) to (7) of Schedule 11 of the Hazardous Substances (Dangerous Goods and Schedule 11 of the Hazardous Substances) Transfer Notice 2004 provided that clause 18(2) shall be read as if references to "this notice" are references to this Group Standard.(3) The person in charge of a tank wagon to which regulations 4(2) applies but which does meet the regulations 36 and 37 (to the extent applicable) of the regulations no later than the close of 30 June 2007.10 Approved handlers(1) Where any condition specified in subclause (3) requires that something be done in relation to a substance by an approved handler, that condition is complied with if that thing is done by a person who establishes, that he or she, during the whole of a qualifying period referred to in subclause (2), has been handling the substance concerned or any other substance with similar hazardous properties in the relevant phase of its lifecycle under one or more of the enactments relevant to that handling referred to in regulations (2001.(2) For the purposes of subclause (1) a gualifying period is any consecutive 2 year period commencing on or after 2 July 1999 and ending on or before the close of 1 July 2006.(3) The conditions are— (a) clauses 6 and 7 of Schedule 1; and (b) clauses 6(2), 18(3), 19(b) and 20(1)(b) of the Site and Storage Conditions.(4) This clause expires with the close of 31 December 2008.Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 27 Schedule 3 Interpretationactivator component means the component that when mixed with the base material applied to a surface as a coating or gap filler and includes thinners and all parts of a multi component adhesiveantifouling paint means a paint used to prevent, by the slow release of biocides, thebuild up of aquatic organisms on the hulls of vessels or other surfaces in contact withwaterapproved handler means a person who holds a current test certificate certifying thatthey have met the requirements of the Hazardous Substances and New Organisms (Personnel Qualifications) Regulations 2001 as an approved handler in relation to oneor more hazard classifications or hazard means the principal component of the kit to which the activator component is addedCAS number means Chemical Abstract Services Registry number child resistant in relation to packaging, or would be unlikely to obtain a toxic dose from packaging that is or contains a dispensing device within a period of 5 minutes; and (b) 90% of adults aged 50 years or over but under 70 years would be able to open and re-close any child-resistant closure in the packagingCivil Aviation Rule – Part 92 – Carriage of DangerousGoods made under the Civil Aviation Act 1990CMR means a substance that is a carcinogen, mutagen or reproductive toxicant whenassessed against the criteria for carcinogenicity, mutagenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity, mutagenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity and reproductive toxicant whenassessed against the criteria for carcinogenicity against the criteria for carcinogenicity and reproductive toxicant against the criteria for carcinogenicity aga substance for the range of temperatures and pressures at which the substance, it does not— (i) cause combustion; or Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 28 (ii) generate an explosion; or (iii) generate a new hazardous substance of a different class, subclass or categorycondition means any product or preparation intended to be placed in contactwith the various external parts of the human body (epidermis, hair system, nails, lipsand external genital organs) or with the teeth and the mucous membranes of the oralcavity with a view exclusively or mainly to cleaning them, perfuming them, perfuming them, perfuming them, perfuming them, perfuming them, marking orpainting]dry film biocide means a biocidal component that is present in the paint to preventalgal or fungal growth on the finished paint filmdye means an intensely coloured or fluorescent organic material, which imparts colourto a substrate by selective absorption. Dyes are soluble and/or go through anapplication process which, at least temporarily, destroys any crystal structure of thedye. Dyes are retained in the substrate by absorption, solution, and mechanical retention, or by ionic or covalent chemical bondsexposure limit (EEL), a tolerable exposure limit (EEL), a tolerab 77B(6) of the Act[finger paint means a paste or jelly-like, coloured preparation specially designed for children, directly applicable to suitable surfaces with the fingers and hands]graphic material which is deposited onto another material by agraphic instrument during writing, drawing or markingin-can preservative means a biocidal component that is present in the paint to preventspoilage of the paint before use. In-can preservation is also referred to as wet stateink means a coloured fluid used for writing, drawing or printing and includes inkreducers and overprint varnishes. be present in New ZealandLand Transport Rule means the Land Transport Rule 45001/1: Dangerous Goods2005 made under the Land Transport Act 1998large packaging, and that— (a) is designed for mechanical handling; andSurface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 29 (b) can contain a net mass of contents of more than 400 kg or has a capacity of more than 450 L; but (c) has a volume of 3 m3 or lessmain label means, where there are two or more labels on a container or a label isdivided into two or more portions— (a) that label or portion of the label on which the name of the product is most prominently shown and which is primarily designed to attract attention; or (b) where the name of the product is equally prominent on two or more labels or portions of a label, each of those labels or portions of the label on which the name of the product is equally prominent. 24A - Carriage of Cargoes -Dangerous Goods made under the Maritime Transport Act 1994 multi-component is a base material and one component is a base material and one component is a base material and one component kit means a kit comprising two or more component is a base material and one component kit means a kit comprising two or more component is a base material and one component is a base material and one component kit means a kit comprising two or more component is a base material and one component kit means a kit comprising two or more component kit means a kit comprising two or more components, of which one component kit means a kit comprising two or more components and one component kit means a kit comprising two or more components are component with the same meanings are component. Hazardous Substances (Packaging) Regulations 2001 paint includes but is not limited to any material used or intended to be used forapplication as a colouring or protective coating to any surface, including lacquers, varnishes, stains, all parts of a multi component paint, tinters and thinners, but does not include antifouling paints [,] cosmetic products, [finger paints, children's crayons and children's water colour paints]passenger service vehicle has the same meaning as in the Transport ServicesLicensing Act 1989person in charge in relation to a place, a hazardous substance location, a transit depot, or person in charge in relation to a place of work, means a person who is— (a) the owner, lessee, occupier, or person in charge in relation to a place of work, means a person who is— (a) the owner, lessee, occupier, or person in charge in relation to a place of work. possession of the place, location, or depot, or any part of it; or (b) any other person who, at the relevant time, is in effective control or possession of the relevant part of the place, location, or depotpictogram means a graphical composition intended to convey specific information, inaccordance with either— (a) the relevant pictogram scontained in Annex 1 of the first revised edition of The Globally Harmonized System of Classification and Labelling of Hazard class and/or category specified in (a) is covered as a pictogram under the UN Model Regulations, the assigned corresponding pictogram as defined in paragraph 5.2.2 of the UN Model Regulations, the assigned corresponding pictogram as defined in paragraph 5.2.2 of the UN Model Regulations (asSurface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 30 pigment means a coloured, black, white, fluorescent, or phosphorescent particulate, organic or inorganic solid, which is practically insoluble in the application medium. Pigments are usually dispersed in vehicles or substrates for application. Pigments are usually dispersed in vehicles or substrates for application. Employment Act 1992 register of exposure limits means the register of exposure limits for substances withtoxic or ecotoxic properties kept and maintained by the Authority pursuant to section 20A of the Actsubstance means any surface coating or colourant that is within the scope of clause 4 of this Group Standard (Scope of Group Standard) surface coating and colourant means any of the following materials, including anyraw materials used in their manufacture: (a) adhesive; or (b) dye; or (c) ink; or (d) paint; or (e) pigment; or (b) dye; or (c) ink; or (Criteria, published in 2003 by the United NationsUN Model Regulations, published in 2005 by the United NationsUN Packing Group relates to a standard of packaging that indicates the level of hazardinherent to dangerous goods defined by the United Nations. Packing Group I indicateshigh danger; Packing Group II, medium danger; Packing Group II, low danger[water colour paints do not include face paints]Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 31 Explanatory noteThis note is not part of the Group Standard, but is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group Standard (Scope of Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group Standard, It is intended to provide guidance to users of the Group St is the responsibility of the manufacturer or importer of a substance to determine whether the substance complies with these parameters. The means of complying may not necessarily require product testing as this may be achieved in a variety of ways, for example, an analysis of the constituent components' hazards. For more information contact ERMA New Zealand. (2) Codes of practice that have been approved by ERMA New Zealand are a means of complying with the conditions of this Group Standard may include, but is not limited to, a substance with the following UN number. However, note that this Group Standard includes only substances that are UN PGII or UN PGII. UN1993 Flammable Liquid, N.O.S. Availability and publication of Group Standard, and Reference Materials(4) This Group Standard, and any materials incorporated into it by reference that are published by ERMA New Zealand may be— (a) viewed on the ERMA New Zealand web site; or (b) inspected free of charge during normal business hours at the ERMA New Zealand office; or (c) purchased from ERMA New Zealand, Public Awareness Group, Email (5) Any regulations incorporated by reference into a Group Standard may be— (a) inspected free of charge during normal business hours at the ERMA New Zealand office; or (b) purchased from Bennetts at or (c) viewed at .(6) Any materials incorporated by reference into a Group Standard that are published by the United Nations may be— (a) inspected free of charge during normal business hours at the ERMA New Zealand office; or (b) viewed on or ordered from the UN website, or Surface Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 32 (c) ordered from the New Zealand distributor: Legislation Direct, PO Box 12 418, Wellington, Ph 0064 4 495 2882, Fax 0064 4 495 2880, Email , or .(7) Any materials incorporated by reference into a Group Standard that are published by Standards New Zealand or Standards Australia may be— (a) inspected free of charge during normal business hours at the ERMA New Zealand office; or (b) ordered from Standards New Zealand, Ph 0800 735 656, Fax 0064 4 498 5994, Email or standards/default.htm or, in the case of Australian standards, from SAI Global Limited, Ph 00612 8206 6010, Fax 00612 8206 6020 or Email global.com as appropriate.(8) A copy of the Standard for the Uniform Paint Standard) may be— (a) ordered from the following website: www.tga.gov.au/ndpsc/susdp.htm; or (b) ordered via email through

 or tga-information- ; or (c) ordered via post from: The Secretary, National Drugs and Poisons Schedule Committee, PO Box 100, Woden ACT 2606, Australia.(9) Any materials incorporated by reference into a Group Standard that are published by any other party or organisation may be inspected free of charge during normal business hours at the ERMA New Zealand office. ERMA New Zealand Contact Details PO Box 131, Wellington Ph: 0064 4 916 2426 Fax: 0064 4 914 0433 Email: Website: Coatings and Colourants (Flammable, Toxic [6.7]) Group Standard 2006 33

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