



**THE TOXIC SUBSTANCES REGULATIONS 1983,
AMENDMENT NO. 5**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 25th day of July 1994

Present:

THE RIGHT HON. J. B. BOLGER PRESIDING IN COUNCIL

PURSUANT to section 82 of the Toxic Substances Act 1979, and, in the case of regulations 3 and 4 of the regulations, to section 7 of that Act, Her Excellency the Governor-General, acting on the advice of the Minister of Health tendered on the recommendation of the Toxic Substances Board, and by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| 1. Title and commencement | 3. Amendments to Third Schedule |
| 2. Prohibition on storage of PCB | 4. Amendments to Fourth Schedule |

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Toxic Substances Regulations 1983, Amendment No. 5, and shall be

read together with and deemed part of the Toxic Substances Regulations 1983* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of August 1994.

2. Prohibition on storage of PCB—Regulation 49¹ of the principal regulations (as substituted by regulation 9 of the Toxic Substances Regulations 1983, Amendment No. 4) is hereby amended by omitting the expression “31st day of July 1994”, and substituting the expression “31st day of July 1995”.

3. Amendments to Third Schedule—(1) The Third Schedule to the principal regulations is hereby amended by omitting—

- (a) The item that begins with the words “DIDECYL DIMETHYL AMMONIUM CHLORIDE” (as inserted by regulation 12 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and
- (b) The item that begins with the word “PHOSALONE” (as inserted by regulation 13 (2) of the Toxic Substances Regulations 1983, Amendment No. 4).

(2) The Third Schedule to the principal regulations is hereby amended by inserting, in their appropriate alphabetical order, the following items:

- “DIDECYL DIMETHYL AMMONIUM CHLORIDE, in liquid preparations containing 15 percent or more of didecyl dimethyl ammonium chloride; and in solid preparations containing 75 percent or more of didecyl dimethyl ammonium chloride.
- “PHOSALONE, in liquid preparations containing less than 60 percent but not less than 6 percent of phosalone; and in solid preparations containing 25 percent or more of phosalone.”

4. Amendments to Fourth Schedule—(1) The Fourth Schedule to the principal regulations is hereby amended by omitting—

- (a) The item that begins with the word “AZOCYCLOTIN” (as inserted by regulation 14 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and
- (b) The item that begins with the word “BINAPACRYL” (as inserted by regulation 15 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and
- (c) The item that begins with the words “BROMOPHOS ETHYL” (as inserted by regulation 15 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and
- (d) The item that begins with the word “BROMOXYNIL” (as inserted by regulation 15 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and
- (e) The item that begins with the word “CHLORMEQUAT” (as inserted by regulation 15 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and
- (f) The item that begins with the word “COUMAPHOS” (as inserted by regulation 14 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and

*1983/130

Amendment No. 1: S.R. 1986/363

Amendment No. 2: S.R. 1988/51

Amendment No. 3: S.R. 1988/253

Amendment No. 4: S.R. 1993/385

- (g) The item that begins with the word "DIMETHENAMID" (as inserted by regulation 14 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and
 - (h) The item that begins with the word "DIMETILAN" (as inserted by regulation 15 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and
 - (i) The item that begins with the words "ETHYLENE GLYCOL" (as inserted by regulation 14 (2) of the Toxic Substances Regulations 1983, Amendment No. 4); and
 - (j) The item that begins with the words "ETHYLENE GLYCOL" (as so inserted); and
 - (k) The item that begins with the word "FENPYROXIMATE" (as so inserted); and
 - (l) The item that begins with the word "FLOCOUMAFEN" (as so inserted); and
 - (m) The item that begins with the word "GLYPHOSATE-TRIMESIUM" (as so inserted); and
 - (n) The item that begins with the word "MORPHOLINE" (as so inserted); and
 - (o) The item that begins with the word "OCTADECYLAMINE" (as so inserted); and
 - (p) The item that begins with the words "PHOSPHORIC ACID" (as so inserted).
- (2) The Fourth Schedule to the principal regulations is hereby amended by inserting, in their appropriate alphabetical order, the following items:
- "AZOCYCLOTIN, in liquid preparations containing less than 3 percent but not less than 0.3 percent of azocyclostin; and in solid preparations containing less than 7.5 percent but not less than 0.75 percent of azocyclostin.
 - "BINAPACRYL, in liquid preparations containing less than 7.5 percent but not less than 0.75 percent of binapacryl; and in solid preparations containing less than 30 percent but not less than 3 percent of binapacryl.
 - "BROMOPHOS ETHYL, in liquid preparations containing less than 5 percent but not less than 0.5 percent of bromophos ethyl; and in solid preparations containing less than 20 percent but not less than 2 percent of bromophos ethyl.
 - "BROMOXYNIL, in liquid preparations containing less than 10 percent but not less than 1 percent of bromoxynil; and in solid preparations containing less than 40 percent but not less than 10 percent of bromoxynil.
 - "CHLORMEQUAT, in liquid preparations containing less than 10 percent but not less than 1 percent of chlormequat; and in solid preparations containing less than 40 percent but not less than 10 percent of chlormequat.
 - "COUMAPHOS, in liquid preparations containing less than 1 percent but not less than 0.1 percent of coumaphos; and in solid preparations containing less than 3 percent but not less than 0.3 percent of coumaphos.
 - "DIMETHENAMID, in liquid preparations containing less than 50 percent but not less than 5 percent of dimethenamid; and in solid preparations containing 20 percent or more of dimethenamid.
 - "DIMETILAN, in liquid preparations containing less than 2.5 percent but not less than 0.25 percent of dimetilan; and in solid

- preparations containing less than 10 percent but not less than 1 percent of dimetilan.
- “ETHYLENE GLYCOL, and its monomethyl and monoethyl ethers and their acetates in preparations containing less than 5 percent but not less than 0.5 percent of these substances.
- “ETHYLENE GLYCOL MONOALKYL (except monomethyl and monoethyl) ethers and their acetates in preparations containing 5 percent or more of these substances, except in floor polishes.
- “FENPYROXIMATE, in liquid preparations containing 12 percent or less but not less than 6 percent of fenpyroximate; and in solid preparations containing less than 49 percent but not less than 6 percent of fenpyroximate.
- “FLOCOUMAFEN, in liquid preparations containing less than 0.01 percent but not less than 0.001 percent of flocoumafen; and in solid preparations containing less than 0.2 percent but not less than 0.02 percent of flocoumafen.
- “GLYPHOSATE-TRIMESIUM, in liquid preparations containing less than 35 percent but not less than 3.5 percent of glyphosate-trimesium; and in solid preparations containing not less than 15 percent of glyphosate-trimesium.
- “MORPHOLINE, in liquid preparations containing less than 50 percent but not less than 5 percent of morpholine; and in solid preparations containing not less than 20 percent of morpholine.
- “OCTADECYLAMINE, in liquid preparations containing less than 45 percent but not less than 3 percent of octadecylamine; and in solid preparations containing not less than 20 percent of octadecylamine.
- “PHOSPHORIC ACID, in preparations containing 10 percent or less but not less than 1 percent of phosphoric acid.”

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 August 1994, are made on the recommendation of the Toxic Substances Board.

The regulations—

- (a) Defer, for one year, the commencement of the prohibition on storage of PCB; and
- (b) Make changes to the Third and Fourth Schedules to the principal regulations relating to the classification of toxic substances as standard poisons and harmful substances.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 28 July 1994.
These regulations are administered in the Ministry of Health.