

N.O.S. (Subsidiary Hazard) Group Standard 2020

HSR002624

GROUP STANDARD

UNDER THE HAZARDOUS SUBSTANCES AND NEW ORGANISMS ACT 1996

N.O.S. (Subsidiary Hazard) Group Standard 2020

Pursuant to [section 96B](#) of the Hazardous Substances and New Organisms Act 1996 (the Act), the Environmental Protection Authority issues this Group Standard.

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1. Name of Group Standard

N.O.S. (Subsidiary Hazard) Group Standard 2020

HSNO Approval Number

The HSNO Approval Number for this Group Standard is HSR002624.

2. Commencement

This Group Standard comes into force on 30 April 2021.

3. Interpretation

- (1) In this Group Standard, unless the context otherwise requires, words and phrases shall have the meanings given to them in Schedule 2. Any words or phrases that are used but not defined in this Group Standard but that are [defined in the Act](#) have the same meaning as in the Act.
- (2) In this Group Standard, reference to a hazard classification means a reference to the specified hazard classification as set out in the Hazardous Substances (Hazard Classification) [Notice](#) 2020.

4. Scope of Group Standard

Substances covered by Group Standard

- (1) This Group Standard applies to hazardous substances under [section 96B\(2\)\(b\)](#) and (c) of the Act.
- (2) A substance referred to in subclause (1) must have one or more of the following (but only the following) hazard classifications:
 - (a) acute oral toxicity Category 4:
 - (b) acute dermal toxicity Category 4:
 - (c) acute inhalation toxicity Category 4:
 - (d) skin irritation Category 2:
 - (e) serious eye damage Category 1:
 - (f) eye irritation Category 2:
 - (g) respiratory sensitisation Category 1:
 - (h) skin sensitisation Category 1:
 - (i) germ cell mutagenicity Category 1 or Category 2:
 - (j) reproductive toxicity Category 1 or Category 2:
 - (k) effects on or via lactation:

- (l) specific target organ toxicity – single exposure Category 1, Category 2 or Category 3:
- (m) specific target organ toxicity – repeated exposure Category 1 or Category 2:
- (n) aspiration hazard Category 1:
- (o) hazardous to the aquatic environment acute Category 1:
- (p) hazardous to the aquatic environment chronic Category 1, Category 2, Category 3 or Category 4.

Substances excluded from Group Standard

- (3) This Group Standard excludes any substance if it contains—
 - (a) asbestos; or
 - (b) a chemical that:
 - (i) is a persistent organic pollutant within the definition in [section 2](#) of the Act; or
 - (ii) exhibits the characteristics of a persistent organic pollutant as set out in paragraph 1 of Annex D to [Schedule 1AA](#) of the Act.
- (4) This Group Standard excludes—
 - (a) any substance that—
 - (i) was not lawfully used in New Zealand immediately before 1 July 2006; or
 - (ii) is covered by the scope of any other Group Standard issued by the Authority; and
 - (b) any fuel; and
 - (c) pesticide actives and formulated pesticide products; and
 - (d) veterinary medicine actives and formulated veterinary medicine products; and
 - (e) fertilisers; and
 - (f) cosmetic products; and
 - (g) aerosols; and
 - (h) gases under pressure.

5. Conditions of Group Standard

The conditions that specify the obligations and restrictions for substances covered by this Group Standard are set out in Schedule 1.

Advisory Note: In addition to requirements specified in this document, people who are undertaking work in a workplace involving hazardous substances covered by this Group Standard have obligations under the [Health and Safety at Work Act 2015](#).

Schedule 1: Conditions of Group Standard

Part 1 - Compliance with EPA Notices

1. Labelling and advertising

Substances covered by this Group Standard must comply with the relevant provisions of the Hazardous Substances (Labelling) [Notice](#) 2017.

2. Safety data sheets

Substances covered by this Group Standard must comply with the relevant provisions of the Hazardous Substances (Safety Data Sheets) [Notice](#) 2017.

3. Packaging

Substances covered by this Group Standard must comply with the relevant provisions of the Hazardous Substances (Packaging) [Notice](#) 2017.

4. Disposal

Substances covered by this Group Standard must comply with the relevant provisions of the Hazardous Substances (Disposal) [Notice](#) 2017.

5. Restriction on supply, storage and use

Substances covered by this Group Standard must comply with the relevant provisions of the Hazardous Substances (Hazardous Property Controls) [Notice](#) 2017.

Part 2 - Other Matters

6. Assigning a substance to a group standard

- (1) If an importer or manufacturer considers that this Group Standard applies to the importation or manufacture of a substance, then the importer or manufacturer is responsible for assigning the substance to this Group Standard.
- (2) In order to assign the substance to this Group Standard, the importer or manufacturer must—
 - (a) ensure that the substance complies with clause 4 of this Group Standard (Scope of Group Standard); and
 - (b) keep a record of how it was determined the substance complies with clause 4 of this Group Standard.

- (3) The importer or manufacturer must—
 - (a) ensure that the record contains sufficient information to allow for independent verification that the substance complies with clause 4 of this Group Standard (Scope of Group Standard); and
 - (b) have that record available for inspection.

Schedule 2: Interpretation

Act means the [Hazardous Substances and New Organisms Act 1996](#)

aerosol has the same meaning as in [regulation 15\(1\)](#) of the Health and Safety at Work (Hazardous Substances) Regulations 2017

asbestos has the same meaning as in [regulation 3\(1\)](#) of the Health and Safety at Work (Asbestos) Regulations 2016 but does not include substances that contain naturally occurring traces of asbestos

CAS number means [Chemical Abstract Services Registry number](#)

condition means any obligation or restriction imposed upon a substance by a group standard

cosmetic product means any product or preparation intended to be placed in contact with the various external parts of the human body (epidermis, hair system, nails, lips and external genital organs) or with the teeth and the mucous membranes of the oral cavity with a view exclusively or mainly to cleaning them, perfuming them, changing their appearance and/or correcting body odours and/or protecting them or keeping them in good condition

fertiliser means—

- (a) any material (whether in solid or liquid form) which is described as or held out to be for or suitable for sustaining or increasing the growth, productivity or quality of plants or animals through the application of the following essential nutrients to plants or soils: nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, sodium, as major nutrients or manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, selenium, as minor nutrients or additives; and
- (b) any other product which is considered to meet identified soil or plant nutrient deficiencies and is applied with this as the principal objective; and
- (c) the material shall be free from pathogens or any other agents which could effect disease and pest transmission

N.O.S. means not otherwise specified

pesticide includes but is not limited to, a product intended for use as an acaricide, antifouling paint, antisapstain, avicide, fumigant, fungicide, insecticide, herbicide, miticide, molluscicide, piscicide, timber treatment preservative or vertebrate toxic agent

substance means any substance that is within the scope of clause 4 of this Group Standard (Scope of Group Standard)

veterinary medicine has the same meaning as in [section 2\(1\)](#) of the Agricultural Compounds and Veterinary Medicines Act 1997

workplace has the same meaning as in [section 20\(1\)](#) of the Health and Safety at Work Act 2015

Explanatory note

This note is not part of the group standard but is intended to provide guidance to users of the group standard.

- (1) Under the Act, [section 96E\(3\)](#) provides that a hazardous substance to which [section 96B\(2\)\(a\)](#) applies is deemed to have been approved by the Authority under [section 29](#).
- (2) All amendments made under [section 96B](#) to the N.O.S. (Subsidiary Hazard) Group Standard 2017 since it was first issued that were still in force before 30 April 2021 have been incorporated into this Group Standard.
- (3) In addition to requirements specified in this document, people who are undertaking work in a workplace involving hazardous substances covered by this Group Standard have obligations under the [Health and Safety at Work Act 2015](#).
- (4) Each of the Labelling, Safety Data Sheets and Packaging [Notices](#) provide that a person relying on this Group Standard will have four years (until 30 April 2025) to comply with the relevant controls under those Notices. Within that time, a person must comply with one of the following:
 - (a) the relevant controls under the Labelling, Safety Data Sheets and Packaging [Notices](#); or
 - (b) the equivalent conditions in the N.O.S. (Subsidiary Hazard) Group Standard 2017 in force immediately before 30 April 2021; or
 - (c) the equivalent conditions in the N.O.S. (Subsidiary Hazard) Group Standard 2006 in force immediately before 1 December 2017.

All other aspects of this Group Standard apply from 30 April 2021.

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