



NUMBER 24 CONTROLS ON THE IMPORTATION OF HAZARDOUS SUBSTANCES

The Hazardous Substances and New Organisms (HSNO) Act 1996 places controls on the importation of hazardous substances.

What is a hazardous substance?

A hazardous substance means any substance that has one or more of the following hazardous properties:

- Explosiveness (e.g., fireworks)
- Flammability (e.g., fuels, solvents)
- A capacity to oxidise (e.g., peroxides, hypochlorites)
- Corrosiveness (e.g., acids, ammonia)
- Toxicity (e.g., pesticides, some industrial chemicals)
- Ecotoxicity (e.g., pesticides, chemicals, oils).

What items are covered by the HSNO Act?

Hazardous substances, as defined above, are covered by the HSNO Act. These include pure chemicals as well as products such as glues, paints, pesticides, and so on, regardless of how they are packaged or presented.

In addition, manufactured articles that include or incorporate any kind of explosive substance are considered 'hazardous substances' and thus covered by the HSNO Act.

What items are NOT covered by the HSNO Act?

The following types of substances/products are NOT covered under the HSNO Act, i.e., a HSNO approval is not required for their importation:

- Manufactured articles, e.g., cars, electronic equipment and machinery, even though those products contain hazardous substances. For example a machine containing a lubricant is not covered under HSNO, but if the lubricant were independently imported, it would require a HSNO approval.
- Substances that have hazardous properties below the prescribed threshold levels. These threshold levels are set by legislation, specifically the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001.
- Food in a ready-to-eat form.
- Finished form (human) medicines.
- Infectious substances.
- Radioactive substances.

The obligation is on importers to establish whether the substance they are importing falls within the scope of the HSNO Act. If you are in any doubt about whether the substance requires a HSNO approval, you should contact:

Environmental Risk Management Authority
PO Box 131
Wellington

Telephone: 04-914 2426 or 0800-376 234

Facsimile: 04-914 0433

Email: hsinfo@ermanz.govt.nz

Website: www.ermanz.govt.nz

Importation of hazardous substances into New Zealand

If you wish to import a hazardous substance into New Zealand, it must have a HSNO approval. The ERMA Register contains a list of HSNO approvals for all substances (single components, formulated products and Group Standard Approvals).

If the substance you wish to import does not have an existing HSNO approval, you must obtain an approval from ERMA New Zealand **prior to importing** the substance. The approval number should be able to be provided to Customs or an enforcement agency if requested.

If you require advice on the HSNO status of the substance you are importing, you should contact ERMA New Zealand.

Asbestos

Please note that raw asbestos does not currently have a HSNO approval. As such, it is not allowed to be imported into New Zealand. If you wish to import raw asbestos into New Zealand, you will need to make an application to ERMA New Zealand. Please contact ERMA for advice on this process.

Additional requirements for certain hazardous substances – import permits

Import permits are required for the following hazardous substances:

- Explosives, including fireworks. These import certificates are issued by ERMA New Zealand and must be presented to Customs.
- Polychlorinated biphenyls (PCBs) and crayons. These permits are issued by the Ministry of Health under delegated authority from ERMA New Zealand. The code MOH and the permit number must be entered in the Permit Information field on the Customs import entry.
- Persistent organic pollutants (POPs) covered by the Stockholm Convention, e.g., aldrin, chlordane, dieldrin, polychlorinated biphenyls (PCBs). Anyone wishing to import a POP covered by the Stockholm Convention must obtain prior approval from ERMA New Zealand. This includes laboratories using these substances as analytical standards. The approval to import must be presented to Customs.

Are there labelling requirements for hazardous substances?

Importers of hazardous substances should ensure that their goods are clearly labelled in accordance with international transportation standards so that the identity of the goods and their hazardous characteristics can be readily distinguished. Clear identification will also assist with the handling and treatment of the goods.

What happens if I import a hazardous substance without approval?

Hazardous substances that are imported without a HSNO approval are liable for seizure under the Customs and Excise Act 1996. There is a provision in the HSNO Act for the goods to be re-exported at cost to the importer.

Importers should ensure that an approval is obtained from ERMA New Zealand prior to importing the goods into New Zealand.

Further information

ERMA New Zealand has prepared a number of publications that you may find to be particularly relevant:

- *Information Sheet No. 16: Substances that may be hazardous under the HSNO Act 1996: A Guide for Importers and Customs Brokers.*
- *Information Sheet No. 14: Determining the status of a substance – do I need to get an approval?*
- *Information Sheet No. 11: Manufactured Articles.*
- *User Guide to thresholds and classifications* (both as a summary guide and a full guide).
- *Assigning a Substance to a Group Standard* (available August 2008).
- *User Guide to Making a Hazardous Substance Application.*

These publications are available at www.ermanz.govt.nz

For further information, contact your nearest office of the New Zealand Customs Service, visit the Customs website www.customs.govt.nz, or call Customs on 0800-428 786 (0800 4 CUSTOMS).