



SUBMISSION

on

**Amendments to Hazardous Substances
(Importers and Manufacturers) Notice
December 2023**

To

Environmental Protection Agency

notices@epa.govt.nz

28th March 2024

Contact:

Vera Power, Greg Sneath

Organisation:

The Fertiliser Association of New Zealand

Postal Address:

PO Box 11519, Manners St, Wellington, 6142

Phone:

(04) 473 6552

E-mail:

info@fertiliser.org.nz

About the Fertiliser Association of New Zealand

1. The Fertiliser Association of New Zealand (the Association) is an industry association funded by member companies to address issues of common public good. Member companies include Ballance Agri-Nutrients Ltd and Ravensdown Ltd. Both are farmer co-operatives with some 35,000 farmer shareholders. Between them, our members supply the majority of all fertiliser used in New Zealand. As co-operatives, they are not driven by maximising the value of product sales, but by delivering best value to farmer shareholders.
2. The Association submits on national policy and proposed regulation to support environmental management, with the view that policy and regulation should be enabling, and that controls are both appropriate and necessary while providing for sustainable primary production within environmental limits.

Submission

3. It is noted in the discussion document, under 3.2.1 **Definition of key terms**, paragraphs 51 and 52, fertilisers are included as an agrichemical and hazardous substance, however, at paragraph 53, that fertiliser products are intended to be excluded from the quantity requirements as there are already programmes in place to collect information on the amount of fertilisers being sold and used in New Zealand.
4. Fertilisers are both imported to New Zealand and manufactured in New Zealand.
5. Raw ingredients include phosphate rock, sulphur and sulphuric acid, and a range of trace elements, plus products like free flow agents.
6. These raw materials typically are imported and handled under the group standards:
Additives, Process Chemicals and Raw Materials (Subsidiary Hazard) Group Standard 2020 – HSR002503.
Additives, Process Chemicals and Raw Materials (Carcinogenic) Group Standard 2020 – HSR002512
Additives, Process Chemicals and Raw Materials (Combustible) Group Standard 2020 – HSR002490
Additives, Process Chemicals and Raw Materials (Corrosive) Group Standard 2020 – HSR002491
7. The fertiliser products are also controlled under four Group Standards:
Fertilisers Acutely Toxic Group Standard 2020 - HSR002572,
Fertilisers Corrosive Group Standard 2020 - HSR002569,
Fertilisers Oxidising Group Standard 2020 - HSR002570,
Fertilisers Subsidiary Hazard Group Standard 2020 - HSR002571
8. The reporting of use of fertiliser products is already provided through several avenues, for example:
 - requirements under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 which are administered by MfE

- the Agricultural Production Survey and Census conducted by Stats NZ together with the Ministry for Primary Industries
 - reporting to the EPA on emissions associated with on-farm use of nitrogen fertiliser
 - NPK fertiliser consumption records, collated by the Fertiliser Association of New Zealand and made publicly available through its website.
 - the Association also provides reporting to MPI on use of urease inhibitor coated urea fertiliser to support calculations for GHG emissions for the National Inventory, and makes this information available on our website.
9. Reporting on importation of fertiliser products and raw materials is included under:
- the Import Standard for Bulk Inorganic Fertiliser including Guano Fertiliser (to the Ministry for Primary Industries). This includes submission of a fertiliser analysis certificate which is required to accurately state the chemical constituent make-up of the fertiliser.
 - the standard HS codes for fertiliser and raw ingredients (to Customs).

Submission Point 1

10. The Association supports the proposal that fertiliser products are to be excluded from the quantity reporting requirements as there are already programmes in place to collect information on the amounts of fertilisers being sold and used in New Zealand.

Submission Point 2

11. We wish to ensure that materials imported as raw materials for the manufacture of fertilisers are also exempt and not inadvertently captured in the reporting requirements under the proposed Notice.

Submission Point 3

12. There are coatings of additional active ingredients which can be applied to some fertiliser products, such as urease inhibitors.
13. We wish to ensure that such materials imported and applied with fertiliser are not inadvertently captured in the reporting requirements under the proposed Notice, because the reason for excluding fertiliser product apply to those active ingredients.
14. Such inhibitors are now controlled under an Order in Council under the ACVM Act.
15. Urease inhibitor product use is reported to MPI to support National Inventory reporting for GHG emissions.

Concluding comment:

16. Thank you for the opportunity to comment and submit on this Discussion Document and draft proposal. If it is helpful, we would be pleased to engage in further discussion on the submission points.