

Chemical Handler Regulatory Change

The regulatory environment has changed. From 1 December 2017, the use of hazardous substances, such as agrichemicals, in the workplace will be managed under the Health and Safety at Work Act and enforced by WorkSafe.

As with any other workplace risk, businesses are now required to identify and assess the risks associated with agrichemical use and take steps to manage them. The regulations require every workplace to maintain Inventory of all hazardous substances present, the likely quantity on the site and the hazards associated with the substance. This inventory will be the first thing an emergency worker, WorkSafe auditor or quality assurance auditor will ask to see. It also is the first step in your Risk Management Process.

There are various changes to the regulatory requirements but the one most visible to agrichemical users will be the end of the Approved Handler system. It is being replaced by a Certified Handler scheme but this will only be required for those using the most acutely toxic agrichemicals (TRACKED CHEMICALS, hazard classes 6.1A or 6.1B, a list of tracked substances and restricted substances following). Whilst fewer people will need the Certified Handler, the level of competency required will be higher with Test Certifiers likely to require an interview or even site visit before issuing a certificate.

Tracked substances

Tracked substances are hazardous substances:

- A record of what happens to them must be kept from the date of their manufacture or importation into New Zealand, through to their end use or disposal.
- At all times, they are either under the control of a person with the appropriate training (a competent person); or are appropriately secured.
- The location of the substance is known throughout its lifespan in New Zealand, including disposal, and a record of this is kept.

Substances restricted to workplaces

Some substances are restricted to use only in a workplace.

These substances can only be supplied after written notification has been received that a competent person at the workplace will accept responsibility for the substance.

However, there is a very clear requirement that every business provide training, information and instruction to ensure its staff are competent in the safe use of agrichemicals. And the EPA have requirements that all users of very ecotoxic substances (hazard classes 9.1A, 9.2A, 9.3A, 9.4A) are suitably qualified.

Qualifications for competent person

- Certified handler - formal qualification e.g. Growsafe.
- Valid approved handler certificate
- Certificate/training - A letter on company letterhead attesting to competency i.e. the person has received information, instruction, and training in accordance Health and Safety at Work Regulation 4.5. A Notification of competent person form (attached) is required to be completed and returned to Ruralco along with a copy of the current Approved Handler or Certified Handler certificate plus your current GROWSAFE certificate.

Changes to GROWSAFE's Certificates

GROWSAFE's certificates have changed. From 1 January 2018, GROWSAFE replacing the GROWSAFE Introductory certificate with two certificates:

- GROWSAFE Basic which is for users working under supervision and first-time agrichemical users. This course provides practical, task-related knowledge with a focus on personal safety.
- GROWSAFE Standard which is designed for those taking responsibility for a workplace or site and may have responsibility for managing or supervising others. This will prepare you for the Certified Handler certificate as well as meeting EPA Requirements.

Ruralco recommend that all staff using agrichemicals attend a GROWSAFE Basic course and at least one person from each workplace hold a GROWSAFE Standard certificate.

Disclaimer

The list of products below as been put together to the best of our ability, information was either provided by EPA or found in the Novachem manual and company Safety Data Sheets. We do not take responsibility for any products that were missed of the following lists.

Clopyralid

While clopyralid does not need to be tracked over its entire life-cycle there are tracking like controls on the purchase and the use of products containing clopyralid.

The rules are:

- The person in charge of a place where the substance is sold may sell the substance to a person only if he or she has received confirmation that there is an approved handler at the place where the substance is to be used.
- Any application must be under the control of an approved handler.

EPA has clarified the sale of Clopyralid under the new regulations.

The rules around the sale and use of Clopyralid have not changed. It is still restricted to qualified persons. Products with ecotoxic controls remained under the jurisdiction of the EPA. The wording of the HSNO controls cannot be altered until the substances are reassessed - when 'approved handler' is replaced with 'qualified person'.

To purchase any of the products , you must provide the following documentation:

- A completed copy of the Competent person form.
- A copy of your Current Approved Handler certificate or your Certified handler certificate (eg Growsafe)
- A copy of your hazardous substance compliance certificate (if required)

Ruralco would like to thank AGCARM and GROWSAFE for providing the above information.