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## Significance of notification under the Toxic Substances Act 1979

Prior to the commencement of the ACVM and HSNO Acts, parties were advised to submit a notification under the Toxic Substances Act 1979, commonly known as NOTS, of any chemical being used in New Zealand. (Registered pesticides did not need to be notified because they are explicitly captured by the HSNO transitional provisions.) The chemical had to be notified only once by each company manufacturing or importing that chemical. Notification was usually done by the proprietor or manufacturer of products using the chemical in question. Notifications under the Toxic Substances Act had to be lodged with the Ministry of Health, and ERMA NZ has been receiving the notifications on behalf of that Ministry until 1 July 2001 when the HSNO Act commenced for hazardous substances. The transitional provisions in the HSNO Act recognised the notifications as the appropriate mechanism to maintain the legality of products after commencement of the HSNO Act. This was particularly important for animal remedies because no specific transitional provisions for animal remedies were incorporated into the HSNO Act as were provided for pesticides.

There has been some misunderstanding about the significance of the notifications under the Toxic Substances Act. Some parties have incorrectly believed that a NOTS constituted a transfer into the main framework of the HSNO Act. **A notification under the Toxic Substances Act does not constitute the actual transfer.** All parties should be aware that, if a notification of a chemical was lodged with the Ministry of Health or ERMA NZ prior to the commencement of the HSNO Act, the chemical (or product containing the chemical) is still legal and can be transferred into the main framework of the HSNO Act during the transition period. However, if a notification was not lodged for a particular chemical, it is too late to do so, and the chemical (or product containing the chemical) has been illegal since the commencement of the HSNO Act. If you are concerned that the latter may be the case, you should contact an applications adviser at ERMA NZ to discuss the consequences.

Some parties have also incorrectly believed that notifications under the Toxic Substances Act were necessary to transfer animal remedy licences or pesticide registrations to ACVM registrations. Again, we stress that this is not the case. **NOTS are irrelevant to the transfer of licences and registrations under the ACVM Act.** Transfer of licences and registrations to ACVM registrations will progress without regard to NOTS.

*AgVetLink* is produced at least six times annually by the MAF Food Assurance Authority's Agricultural Compounds and Veterinary Medicines Group. The newsletter is of special relevance to those interested or involved in all aspects of animal remedies and pesticides. It contains regular updates on implementation of legislation, notifications, new standards and policies, consultation, international agreements, and other information.

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## General advice on products

Since the commencement of the Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997 and the Hazardous Substances and New Organisms (HSNO) Act 1996, the ACVM Group has received a number of enquiries in regard to a wide range of registration issues.

Responding to those enquiries has been difficult because of ongoing discussions with the Environmental Risk Management Authority (ERMA NZ) about the interface between the two Acts. At this stage the following is the most definitive basic advice that can be given from an ACVM perspective.

Aspects of the advice will not be appropriate in all cases because of the range of products, the variable risks they pose and the variations in the requests being made. To be certain of advice, contact the customer services officers of the ACVM Group. Any enquiries about the relevance of the HSNO Act in a particular case should be directed to ERMA NZ.

### Outstanding invoices reminder...

The ACVM Group expects payment by the 20<sup>th</sup> of the month following invoice. (Refer to [www.maf.govt.nz/acvm/legislation/acvm-act/fees/business-rules.htm](http://www.maf.govt.nz/acvm/legislation/acvm-act/fees/business-rules.htm) for our debt management policy.)

All approved creditors should be aware that not paying accounts on time jeopardises your status as an approved creditor.

For our customers who are not approved creditors, your products will be withheld from assessment until payment has been made.

### MINOR variations to existing licences and registrations

Variations to existing licences and registrations can be made, but the application must be lodged by the licensee or registrant. The variation must not materially change the specifications of the product or the risks posed by the product. If a variation is processed under the transitional provisions of the ACVM Act, the outcome will still be an animal remedy licence or pesticide registration that will have to be converted to an ACVM registration before the end of the transition period (2 July 2004). Hazardous substance approvals from ERMA NZ are irrelevant for variations to existing licences or registrations that remain as animal remedy licences or pesticide registrations.

### MAJOR variations to existing licences or registrations

If the change to the licence or registration significantly alters the specifications of the product or the risks it poses, a new registration may be required. The application must be processed in accordance with the ACVM Act and the outcome will be a new ACVM registration.

If a new registration is required, the ACVM Group must have confirmation from the applicant that the product is not a hazardous substance. This can be confirmed via a declaration from the applicant to that effect.

If the hazardous substance status of the product is uncertain, the ACVM Group will be able to process the application from its perspective, but it will not be able to issue the new registration until the applicant confirms that it is not hazardous or that the appropriate ERMA NZ approvals have been issued.

### New registrations

Applications for new registrations must be processed under the ACVM

Act. This includes applications for registration of products that are mirror images of licensed or registered products **where the applicant is not the licensee or registrant.**

To issue a registration the ACVM Group must have confirmation from the applicant that the product is not a hazardous substance. As above, this can be done via a declaration from the applicant.

If the hazardous substance status of the product is uncertain, the ACVM Group will be able to process the application from its perspective but it will not be able to issue the new registration until the applicant confirms that it is not hazardous or that the appropriate ERMA NZ approvals have been issued.

### Transfer of existing licences and registrations to ACVM registrations

At this stage existing licences and registrations can be transferred to ACVM registrations if the product is exactly the same as the one that is licensed or registered. The ACVM Group is aware that for some products there has been, over time, a drift in the product specifications so that the product currently being marketed is not quite the same as the one that is licensed or registered.

The ACVM Group has previously advised that, if the drift is not significant from a product identity and risk management perspective, then the product data sheet provided by the licensee or registrant will be used as the definitive description of the product that is being transferred. However, if the drift has been significant, then a new registration may be necessary. It is recommended that you contact the ACVM Group if you suspect any discrepancy.

Licences or registrations will be transferred by two mechanisms:

1. on request from the licensee or registrant, the existing licence or registration could be cancelled and a new registration issued; or
2. regulations will be made under section 88 of the ACVM Act to deem the existing licences or registrations to be registered under the ACVM Act.

Mechanism 1 can be used immediately for any trade name product that is not a hazardous substance. It can also be used for the transfer of a trade name product that is exactly the same as the existing licensed/registered products (i.e. no drift in specifications or change in public health or environmental risks) if the request is made by the licensee or registrant.

This is possible because the ACVM Group and ERMA NZ have an understanding that the existing licences or registrations are considered to fulfill the requirement of an ERMA NZ approval until the relevant substances are transferred into the main framework of the HSNO Act.

As for the use of the second mechanism (regulations under section 88) there is a proposal to make such regulations (see page 6).

Although the ACVM Group has encouraged licensees and registrants to request the transfer of licences or registrations sooner rather than later, it may be better to participate in the consultation process on the regulations and await the outcome. If the regulations are made as the ACVM Group proposes, the transfer process would be greatly simplified.

#### **Cancellation of licences for products that are exempt from registration**

Until the transfer regulations are made the ACVM Group will cancel an existing licence on request from the licensee. Maintaining an animal remedies licence is not necessary to ensure products stay legal under the transitional provisions of the HSNO Act. However, it is recommended that you obtain a class determination first to ensure that your product is actually exempt from registration.

If the transfer regulations are made as the ACVM Group proposes, then all animal remedy licences will be cancelled and a specific request will not be necessary. The ACVM Group will report regularly on progress in making the regulations.

#### **Cancellation of pesticide registrations**

Pesticide registrations are important in regard to the transitional provisions of the HSNO Act. Premature cancellation may make product illegal. The ACVM Group will discuss this matter with any registrant who requests a registration to be cancelled to ensure that the consequences are understood.

#### **Fertiliser registration**

All fertilisers and fertiliser additives are exempt from registration but they must comply with the standards prescribed in Schedule 5 of the ACVM Regulations 2001. Products that have been registered as fertilisers in the past but used for another purpose (e.g. hydrogen cyanamide or phosphorous acid) do not fit the definition of a fertiliser and must now be registered.

## **ACVM Act transfer separate from HSNO Act transfer**

The ACVM Group would like to remind people that transferring animal remedy licences and pesticide registrations to registrations under the Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997 is a statutory requirement.

The Group would also like to point out that it is **completely separate** from the transfer of substances to the main framework of the Hazardous Substances and New Organisms (HSNO) Act 1996.

The ACVM Act transfer focuses on trade name products as defined by their formulation and use specifications. Transfers can be made

totally independent of ERMA NZ approvals. However, even though a trade name product licence or registration is transferred under the ACVM Act, it may still have to be transferred to the main framework of the HSNO Act at a later date, which must be before the end of the transition period (2 July 2004).

Transfer under the HSNO Act focuses on substances across the range of concentrations, formulations and uses. While a substance could be defined in the same manner as a particular trade name product, that is not necessarily the case. In fact it is unlikely that ERMA NZ approvals will be based on trade name product formulations.

It is anticipated that animal remedy licences and pesticide registration transfers will be completed in the near future (see article on transfer via regulations, page 6).

However, the ACVM Group has been advised by ERMA NZ that the transfer of all substances into the main framework of the HSNO Act may take up to the end of the transition period.

Parties are advised to contact ERMA NZ directly if they have any enquiries about the transfer of substances under the HSNO Act. Advice from the ACVM Group is specifically about transfer under the ACVM Act only.

## Amendments to the ACVM Regulations 2001

The following are amendments to the ACVM Regulations 2001 that the ACVM Group is considering. (NOTE: This article should be read while referring to the Regulations in order to understand the proposals.)

### Definitions

#### *Fertiliser additive*

The definition of a fertiliser additive should be amended by adding the term 'biological compound' to make it clear that fertiliser additives can be or contain organisms or substances derived from organisms.

A fertiliser additive would be:

- (a) a non-nutrient substance or biological compound added to a fertiliser, or applied to land by itself, that
  - (i) improves the supply and uptake of nutrients; or
  - (ii) increases the biological activity of soil; or
  - (iii) modifies the physical characteristics of a fertiliser to make it more fit for its purpose; but
- (b) does not include substances that are plant growth regulators that modify the physiological functions of plants.

#### *Biological wastes*

Raw or composted biological wastes that are sold as fertilisers or fertiliser additives are exempt from registration.

Some confusion has arisen as to what constitutes raw or composted biological wastes. The ACVM Group considers that the term must be clarified. Therefore it is proposed to include the following definition:

Biological wastes are any substances derived from animals or humans, including meat, milk, eggs, by-products from the slaughter of livestock or the processing of dairy products, secretions, excretions (including sewage), but does not include green wastes (plant origin) that are not contaminated by or

mixed with substances derived from animals or humans.

While there is a regulatory interest because biological wastes can pose ACVM risks, the ACVM Group considers that the risks can be managed via regulatory control under the Resource Management Act 1991 in the first instance.

#### **Additional exemptions**

The following are additional groups of agricultural compounds that could be exempted from registration. Those proposed for Schedule 1 would be subject to compliance to a code of practice if such a code were to be approved. Those proposed for Schedule 2 would be subject to the general labelling requirements in Regulation 6 and the conditions prescribed in column 2 of that schedule. However, they would not be subject to the general reporting requirements in Regulation 7.

The agricultural compound groups in Schedule 3 would be subject to annual reporting as required in Regulation 7.

#### *Schedule 1 additions*

- Vertebrate and invertebrate attractants and repellants that are not applied directly to animals or plants;
- Invertebrate mating disruptors that are not applied directly to animals or plants.

This group includes chemical and pheromone products used in traps either for pest control or for monitoring pest populations. Because they are not applied directly to the animals or plants, they do not pose significant ACVM risks.

#### *Schedule 2 additions*

- Substances, mixtures of substances or trade name product veterinary medicines that are not registered under the ACVM Act 1997, used as veterinary medicines in New

Zealand, under the conditions that:

- the preparation may be imported only under a permit issued by MAF;
- the preparations must not be used on animals except under the direct care, authority, or prescription of a veterinarian; and
- the veterinarian must act in accordance with any applicable code of practice in force under section 28 of the ACVM Act.

This is a similar exemption to the existing exemption for human medicines used by veterinarians. Because the exemption only applies if a veterinarian is managing the risks, there appears to be no reason to require the products to be registered under these circumstances.

- Substances, mixtures of substances or trade name product veterinary medicines that are not registered under the ACVM Act 1997, used as veterinary medicines on laboratory animals, under the conditions that:
  - the preparation may be imported only under a permit issued by MAF;
  - the preparations must not be used on animals except laboratory animals under the direct care, authority of specified person in a research or training organisation accredited by MAF; and
  - persons in the organisation must act in accordance with any applicable code of practice in force under section 28 of the ACVM Act.

This exemption is similar to the one above and depends on the approval of a code of practice that ensures the risks would be managed. A code is being developed by the Royal Society, but until that code or a similar is approved this exemption would not apply.

**Schedule 3 additions**

- Attractants applied directly to plants and used solely to attract invertebrates or invertebrates under the condition that they must not be used on food crops unless they contain only substances described in Part B of Schedule 7.
- Repellents applied directly to animals to repel invertebrates under the conditions that they are manufactured according to good manufacturing practices and they must not be used on the teats of lactating animals if the milk of the animals is intended for human consumption.
- Invertebrate mating disruptors that are applied directly to plants and

used solely to interfere with the reproduction of invertebrates under the condition that they must not be used on food crops unless they contain only substances described in Part B of Schedule 7.

These two exemptions include chemical and pheromone products used to control or monitor pest populations. They are applied directly to animals or plants, so some conditions are necessary to manage risks to animal welfare, trade in primary produce and risks of residues in domestic food.

**Additions or deletions from Parts A and B of Schedule 7**

The ACVM Group has consulted on a list of substances to be added to Parts

A and B of Schedule 7. If you wish to know what substances are to be recommended please contact:

Laura Phillips  
Ph: 04 460 8761  
Email: phillipsl@maf.govt.nz

Comments on the proposed amendments to the ACVM Regulations 2001 should be sent to:  
Chris Boland  
Special Advisor (Technical Policy)  
ACVM Group  
PO Box 2526  
WELLINGTON  
Email: bolandc@maf.govt.nz

Submissions on any aspect of the proposal should be sent before **1 November 2001**.

## ACVM status of turfgrass and pasture species

Turfgrass and/or pasture species are not food crops as defined in the ACVM Regulations 2001. The definition of a food crop in the ACVM Regulations 2001 is as follows:

... plants raised in an agricultural context (or parts of those plants) and used as food or for food production for humans.

The ACVM Group interprets this to mean plants (or plant parts) that are used, without processing, as food for humans (e.g. apples), or plants that are processed into food for humans (e.g. apples for apple juice). **The definition does not include processing grass or pasture species via the stomach of an animal that subsequently produces milk or meat or any other food for humans.**

Pasture is interpreted to mean unharvested plants intended for feeding to animals in a grazing or browsing context. While grain crop stubble or other agricultural or horticultural crops may be fed to animals, those crops are not considered to be pasture.

This policy is significant in regard to the definitions of some of the agricultural compound groups exempted from registration in Schedule 3 of the ACVM Regulations. It means a trade name product that fits a definition in column 1 of Schedule 3 is exempted from registration if it is intended to be used on turfgrass or pasture species.

## Transfer via regulations

The ACVM Group wishes to develop regulations under subsections 88(a) and (b) of the ACVM Act. If regulations were made as proposed, the general effect would be:

- All animal remedies and pesticides would be regulated under the ACVM Act (rather than the Animal Remedies or Pesticides Acts) as soon as the licences or registrations were deemed to be ACVM registrations;
- Trade name products could continue to be imported, manufactured, sold or used under the same conditions (including the same approved labels) that applied to the animal remedy licences or pesticide registrations in effect just before transfer;
- The transitional provisions of the ACVM Act would no longer be relevant except in regard to applications lodged before 2 July 2001 if a licensing/registration decision had not been made prior to the commencement of the ACVM Act;

- There would be no requirement to obtain ERMA NZ approvals for substances prior to transfer;
- There would be no need to update the information on trade name products prior to transfer, but that information would have to be provided if a variation to a registration were requested or before 2 July 2004;
- After transfer, any variation to a registration would have to be processed under sections 21 or 27 of the ACVM Act with a consequential requirement to confirm the position of ERMA NZ in regard to a product.

### Animal remedies

For animal remedies the regulations would in effect cancel all existing licences. Regulatory control would be maintained via the new ACVM registration. Because there are no transitional provisions in the HSNO Act for animal remedies, there is no need to retain licences to ensure that the products are covered.

### Pesticides

However, pesticide registrations are important in regard to the transitional provisions of the HSNO Act. Therefore, to maintain the legal status of pesticides during the transition period, the old pesticide registrations would not be cancelled. They would remain valid but would become dormant, with regulatory control maintained via the new ACVM registrations. This would allow the products to be legally manufactured and sold until ERMA NZ transfers the relevant substances.

A brief public discussion document on the proposed regulations can be found on the ACVM Group website ([www.maf.govt.nz/acvm/](http://www.maf.govt.nz/acvm/)).

Submissions on any aspect of the proposal should be sent before **1 November 2001** to:

Chris Boland  
Special Advisor (Technical Policy)  
ACVM Group  
PO Box 2526, WELLINGTON  
Email: [bolandc@maf.govt.nz](mailto:bolandc@maf.govt.nz)

## Annual fees

All licensees/proprietors have been sent a list of all products that are currently licensed/registered as animal remedies/pesticides as at July 2001. As indicated in the letter sent out with the invoices, if you believe that any of your products on these lists are exempted from the requirement to be registered under the ACVM Act, then you need to apply for a class determination to confirm that status before your product will be removed from the official register.

Where companies have indicated that a product is to be cancelled from the list, a check against the ACVM Act Regulations will be undertaken before the cancellation is processed. Where these products fall into the categories listed under Schedule 3, the companies will be contacted.

It is expected that regulations to transfer products from the Animal Remedies Act and Pesticides Act will be completed for most products by July 2003. Until then annual fees are payable under the Animal Remedies Act (\$300 plus GST) and under the Pesticides Act (\$500 plus GST). Payments of annual fees are due to the ACVM Group by **20 October 2001**.

If you have not received a list of your products or you have any questions, contact Sarah Smyth: phone: 04 460 8753; fax: 04 460 8771; or email: [smyths@maf.govt.nz](mailto:smyths@maf.govt.nz)

## Provisional registration and research approval

Following the commencement of the Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997 and the Hazardous Substances and New Organisms (HSNO) Act 1996, the ACVM Group has reviewed the basis for criteria for provisional registration and provisional registration (generic research).

Under section 27(7) of the ACVM Act, a trade name product that is also a hazardous substance or new organism cannot be issued with a provisional registration unless approval for that substance or organism has been issued under the HSNO Act 1996. Although the intention behind this legislation was to manage the risks associated with research carried out with potentially hazardous substances, in practice this was found to create a barrier to carrying out certain agricultural research within New Zealand.

At the moment, the presence of a substance (or an ingredient in a product) with a potentially hazardous characteristic is sufficient to classify that substance or product as a 'hazardous substance'. The fact that the product or substance may have:

- a concentration that would be too low to cause a negative effect; and/or
- an intended use and administration that would not provide an opportunity for public or environmental exposure

is not taken into consideration at the classification stage of a hazardous substance but at a later stage when the setting of controls occurs.

Applications for provisional registration (generic research) were found to trigger the HSNO hazard thresholds although the use/administration of most of these products and substances (and the subsequent conditions of registration) were such that no additional risks

were required to be managed. In effect, this meant that the majority of applications for provisional registration (generic research) were also required to apply for ERMA NZ approval and were subject to the subsequent costs without any additional benefit in risk management.

As a result of the review, the ACVM Group has dispensed with provisional registration (generic research). This will now be replaced by 'research approvals'. A research approval does not require registration under the ACVM Act, so it is not subject to requirement 27(7). All applications, therefore, that would have been submitted as an application for provisional registration (generic research) should now be submitted as an application for research approval.

### What is the difference between provisional registration and research approval?

The purpose of **provisional registration** is to enable an applicant to carry out trial work with a designated or trade name product (i.e. in a final formulation) in order to obtain further information (e.g. efficacy, safety, residue trials) on that product and to determine whether it should be registered. The trial work is intended to lead to an ACVM registration of the trade name product and is subject to section 27(7) of the ACVM Act.

The purpose of a **research approval** is to enable an applicant to carry out research or trial work not covered under a provisional registration issued under section 27 of the ACVM Act but where the sale of experimental animals, plants and their produce are proposed. The trial work is not intended to lead to an ACVM registration of the trade name product and is not subject to section 27(7) of the ACVM Act. This includes

research or trial work:

- using substances or products that are not intended to be registered as trade name products in New Zealand;
- for preliminary investigation of substances, prior to determination of particular trade name product specification for registration;
- in which substances/products are used but the purpose of the trial work is for reasons other than to gather information about the substances/products (e.g. general physiological research);
- on registered trade name products that will be used in a manner not provided for in the current registration.

Research approvals will be issued by the ACVM Group (but it may be on behalf of other groups within MAF) to undertake such research or trial work. The research approvals will ensure that the proposed research or trial work will not result in unacceptable risks, in particular the risk of prohibited residues in primary produce or food products.

ERMA NZ will be notified of research approvals granted by the ACVM Group. Applicants should be advised that approval for research granted by the ACVM Group does not constitute an approval for a substance under the HSNO Act 1996. Applicants should seek approval from ERMA NZ directly if they believe that the substances/products they propose to use are hazardous substances or new organisms.

### Information

The information requirements for research approvals are set out on our website ([www.maf.govt.nz/acvm/](http://www.maf.govt.nz/acvm/)) and fees will remain the same as for provisional registration (generic research). Any additional information required can be obtained by contacting the ACVM Group directly.

## Staff update

- In March **Sarah Ball** joined the ACVM Group as a technical assessor (pesticides). Sarah, who completed an MSc at the University of Guelph, Ontario, has worked as a researcher with the Department of Horticulture at Colorado State University, USA, and with HortResearch in Mt Albert, Auckland.
- In May **Claire Truscott** started in the CSO team. Claire came to the ACVM Group after studying for a BA at Victoria University and working at AXA New Zealand as a support person. (The team has been one member down since July when Michelle Belchamber left.)
- Also in May, **Mike Clear** was appointed National Manager, Veterinary Residues, ACVM. He has a BSc in Chemistry and Biochemistry and over 30 years' laboratory and research experience, principally on veterinary drug residues and pesticides with the Department of Agriculture and AgriQuality New Zealand. Mike is responsible for veterinary residue assessments and contributing to the Animal Products and Dairy Groups of MAF on residue issues.
- June 2001 saw the start of Jodie Trubshoe's long-awaited assistant, **Sarah Smyth**. Sarah came to the ACVM Group from the Chief District Court Judges Chambers, where she worked as an administration clerk.
- In July we welcomed **Laura Phillips** as Chris Geering's replacement. Laura is reading Biochemistry (Toxicology) at the University of Surrey. As the 'industrial placement' part of her course, she will spend 12 months with MAF before returning to England to complete her degree.
- In August we filled the vacancy left by Toni Tana. **Jennie Yee** has joined us as a technical assessor (veterinary medicines). Jennie is a veterinarian with a predominantly companion animal background. Her practical experience has been in New Zealand and England.
- **Jonathan Taylor** left the ACVM Group for Australia in September. Jonathan's knowledge and his great sense of humour (his classic lines were the best) will be missed by all.

### Labelling guide for toxic substances

The Ministry of Health has updated the New Zealand labelling guide for toxic substances. We will change labels when they are submitted or during the transition process to comply with the updated guide.

The main change involves first aid statements because vomiting statements are no longer advisable. Instead, labels should include the telephone number of the National Poisons Centre (03 474 7000).

# Transfer of Trade Name Products to the ACVM Act 1997

The process of transferring trade name products to the ACVM Act is separate from the process of transferring to the HSNO Act. Non-agricultural compounds and agricultural compounds that are exempt under Regulations 4 and 5 of the Agricultural Compounds and Veterinary Medicines (ACVM) Regulations 2001 are not required to be transferred to the ACVM Act.

There are currently three pathways available to transfer agricultural compounds that are licensed under the Animal Remedies Act or registered under the Pesticides Act to the new ACVM Act 1997. (These pathways are outlined on the reverse side of this sheet.)

## **(1) Pathway One: Non-hazardous substances**

The ACVM Group can transfer non-hazardous agricultural compounds to the ACVM Act on receipt of the following:

- a request to transfer from the proprietor
- a declaration from the proprietor or a determination from ERMA New Zealand as to the non-hazardous status of the product to be transferred
- a completed Registration and Product Data Sheet.

Because all pesticides are, by definition, hazardous substances this pathway can be used only for non-hazardous animal remedies.

## **(2) Pathway Two: Hazardous substances (post-HSNO transfer)**

The ACVM Group can transfer hazardous agricultural compounds to the ACVM Act on receipt of the following:

- a request to transfer from the proprietor
- an approval from ERMA NZ
- a completed Registration and Product Data Sheet.

This pathway can be used only for trade name products that have received an appropriate approval from ERMA NZ. (To date, no currently licensed animal remedies or registered pesticides have obtained an ERMA NZ approval.)

## **(3) Pathway Three: Hazardous substances (pre-HSNO transfer)**

The ACVM Group can transfer hazardous agricultural compounds to the ACVM Act on receipt of the following:

- a request to transfer from the proprietor
- a completed Registration and Product Data Sheet.

The ACVM Group and ERMA NZ have recently come to agreement on a broad interpretation of approval as required under section 21(5) of the ACVM Act. Essentially, under this agreement a product that is currently licensed under the Animal Remedies Act or registered under the Pesticides Act can be transferred to the ACVM Act **provided that there is no change** to that currently registered/licensed product.

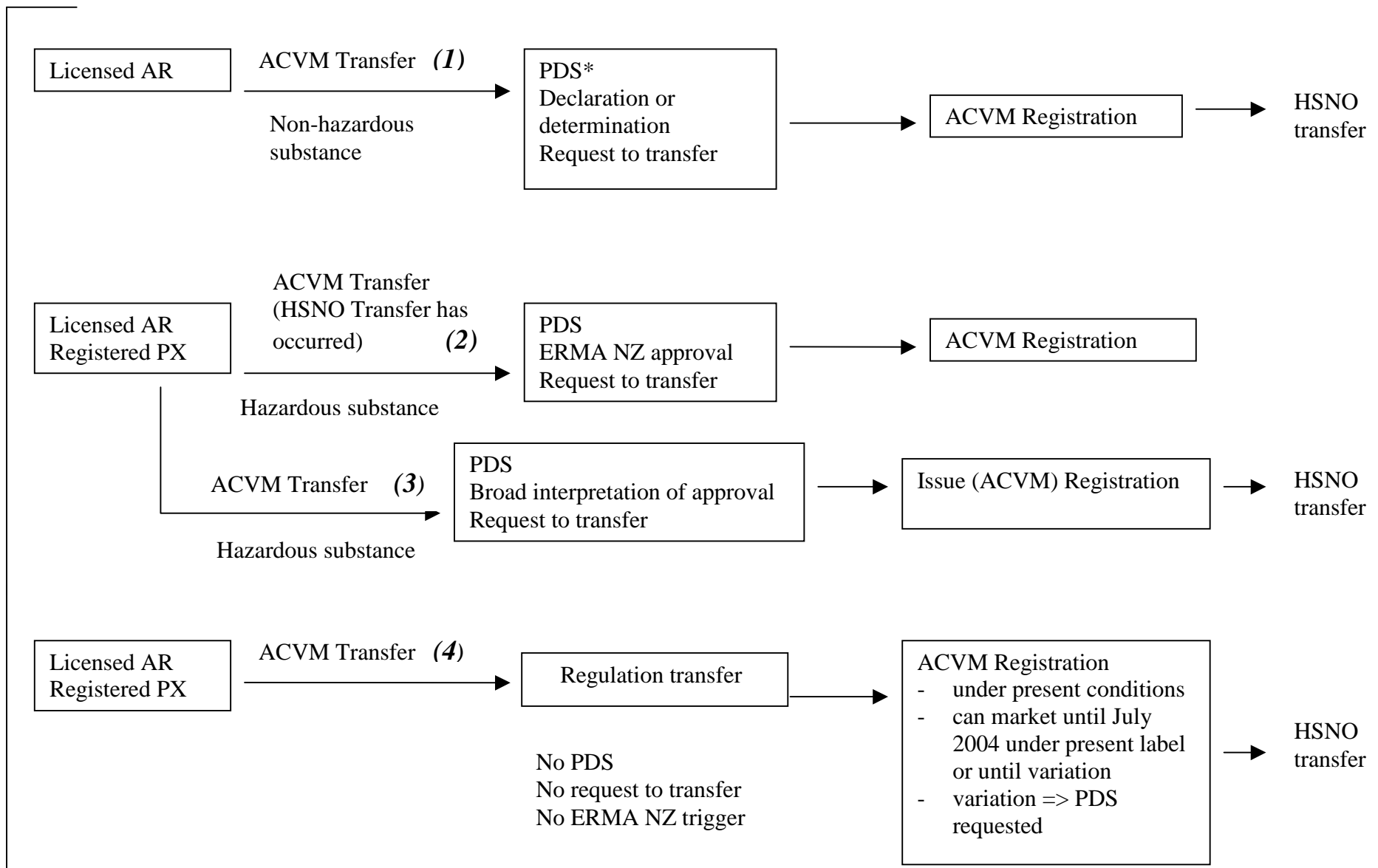
## **(4) Proposed Pathway Four:**

### **Transfer of all trade name products to the ACVM Act**

This proposed pathway would transfer all currently licensed/registered agricultural compounds to the ACVM Act by means of a short regulation process. For further information on this proposal, see 'Transfer via regulations' on page 6 of the October 2001 *AgVetLink*.

Exempt products  
Non-agricultural compounds

**Agricultural  
Compounds  
Only**



\* Registration + Product Data Sheet