

## **Hazardous Substances (Antifouling Paints Containing Diuron, Octhilinone or Ziram Direction Prohibiting Use and Controlling Storage and Disposal) Amendment Notice 2023**

Pursuant to section 66 of the Hazardous Substances and New Organisms Act 1996 (“Act”), the Environmental Protection Authority issues the following amendment notice.

### **Notice**

#### **1. Title**

This notice is the Hazardous Substances (Antifouling Paints Containing Diuron, Octhilinone or Ziram Direction Prohibiting Use and Controlling Storage and Disposal) Amendment Notice 2023.

#### **2. Commencement**

This notice comes into force on **1 November 2023**.

#### **3. Principal Notice Amended**

This notice amends the Hazardous Substances (Antifouling Paints Containing Diuron, Octhilinone or Ziram Direction Prohibiting Use and Controlling Storage and Disposal) Notice 2023, as published in the [New Zealand Gazette, 21 June 2023, Notice No. 2023-au2688](#), as follows:

(1) In clause 3, paragraph 2, below the words “with approval number HSR007897” insert:

**Antifouling paint containing diuron - Sigma Ecofleet** means any of the following substances:

Sigma Ecofleet 290 (Black) approved under the Act until 1 July 2017 with approval number HSR100150;

Sigma Ecofleet 290 (Blue) approved under the Act until 1 July 2017 with approval number HSR100151;

Sigma Ecofleet 290 (Red/Brown) approved under the Act until 1 July 2017 with approval number HSR100152.

(2) In clause 4, under the words “containing ziram after 1 August 2023” insert:

No person may use an antifouling paint containing diuron - Sigma Ecofleet after 1 December 2023.

(3) After clause 7, insert a new clause 7A:

**7A. Controls on antifouling paints containing diuron - Sigma Ecofleet until 1 March 2024—**

For avoidance of doubt, the controls set out for the approvals for the antifouling paints containing diuron - Sigma Ecofleet remain in effect until 1 March 2024.

(4) After clause 10, insert a new clause 11:

**11. Controls on disposal of antifouling paints containing diuron - Sigma Ecofleet**

(1) All antifouling paints containing diuron - Sigma Ecofleet must be disposed of by 1 March 2024.

(2) Antifouling paints containing diuron - Sigma Ecofleet must be disposed of in accordance with the controls set out for the approvals for the antifouling paints containing diuron.

(3) When stored for the purpose of disposal, antifouling paints containing diuron - Sigma Ecofleet must not be mixed with any other substances.

Dated at Wellington this 1st day of November 2023.

DR ALLAN L. FREETH, for and on behalf of the Environmental Protection Authority.

### **Explanatory Note**

The principal notice omitted to include three paints from the substances listed at clause 3(2) under the heading antifouling paints containing diuron. This notice amends the principal notice to now include those three paints.