NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** New Zealand  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:**  Phone: +64 4 916 2426  Fax: +64 4 914 0433  Email: [info@epa.govt.nz](mailto:info@epa.govt.nz) or [POPsConsultation@epa.govt.nz](mailto:POPsConsultation@epa.govt.nz) Website: <https://www.epa.govt.nz>  Level 10 Grant Thornton House 215 Lambton Quay Wellington 6011 New Zealand  Private Bag 63002 Wellington 6140 New Zealand  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  Standards New Zealand Phone: +64 4 498 5990 Email: [wto@standards.co.nz](mailto:wto@standards.co.nz)  Website: [www.standards.govt.nz](http://www.standards.govt.nz) |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Dicofol - This was a pesticide. Note there are no dicofol products registered for use as an agricultural pesticide in New Zealand. Perfluorooctanoic acid (PFOA), its salts and PFOA‑related compounds has been phased out of production in many countries already. PFOA-related compounds, including side-chain fluorinated polymers, are used as surfactants and surface treatment agents (for example in textiles, paper and paints and inks). They have also been used in firefighting foams. |
| **5.** | **Title, number of pages and language(s) of the notified document:** New chemicals under the Stockholm Convention on Persistent Organic Pollutants: Consultation document (22 page(s), in English) |
| **6.** | **Description of content:** See discussion document (page 12 relating to Dicofol and pages 13-16 of PFOA) at  [<https://www.epa.govt.nz/assets/Uploads/Documents/Hazardous-Substances/Consultation-on-Rotterdam-and-Stockholm-Conventions/Consultation-on-updating-new-POPs-Feb-2020.pdf>](https://www.epa.govt.nz/assets/Uploads/Documents/Hazardous-Substances/Consultation-on-Rotterdam-and-Stockholm-Conventions/Consultation-on-updating-new-POPs-Feb-2020.pdf)  Proposed changes to the current regulatory requirements to:  1. Provide for the prohibition of use and production of two persistent organic pollutants (POPs) newly listed in Annex of the Stockholm Convention on Persistent Organic Pollutants to meet obligations under the Stockholm Convention. The listing decisions are SC-9/11 and SC-9/12. The two POPs are:  **SC-9/11: Dicofol**  CAS No: 115-32-2 and CAS No: 10606-46-9  **SC-9/12: Perfluorooctanoic acid** (PFOA), its salts and PFOA-related compounds  "Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds" means the following:  (i) Perfluorooctanoic acid (PFOA; CAS No: 335-67-1), including any of its branched isomers;  (ii) Its salts;  (iii) PFOA-related compounds which, for the purposes of the Convention, are any substances that degrade to PFOA, including any substances (including salts and polymers) having a linear or branched perfluoroheptyl group with the moiety (C7F15)C as one of the structural elements;  The following compounds are not included as PFOA-related compounds:  (i) C8F17-X, where X= F, Cl, Br;  (ii) Fluoropolymers that are covered by CF3[CF2]n-R' where R'=any group, n>16;  (iii) Perfluoroalkyl carboxylic and phosphonic acids (including their salts, esters, halides and anhydrides) with ≥8 perfluorinated carbons;  (iv) Perfluoroalkane sulfonic acids (including their salts, esters, halides and anhydrides) with ≥9 perfluorinated carbons;  (v) Perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF), as listed in Annex B to the Convention.  The proposal is that New Zealand would make use of one of the short-term exemptions available under the Decision-9/12 which would enable short term continued us of PFOA, its salts and PFOA-related compounds in Fire-fighting foam for liquid fuel vapour suppression and liquid fuel fires (Class B fires) in installed systems, including both mobile and fixed systems, in accordance with paragraph 2 of part X of this Annex.  2. Provide for the continued use of manufactured articles containing PFOA, its salts and PFOA related compounds that are already in use in New Zealand. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:**  1. To comply with New Zealand's obligations under the Stockholm Convention on Persistent Organic Pollutants. The obligation to prohibit production and use of the POPs becomes binding in December 2020. 2. To protect the environment and human health by reducing exposure to POPs. |
| **8.** | **Relevant documents:**   1. Stockholm Convention on Persistent Organic Pollutants (Annex A) 2. When adopted, the proposed amendments will be published in <http://legislation.govt.nz/> 3. The following decisions of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants:    * Decision-911 Listing of Dicofol    * Decision SC-9/12 to list PFOA and PFOA-related compounds as POPs    * See: [<http://chm.pops.int/TheConvention/ConferenceoftheParties/> ReportsandDecisions/tabid/208/Default.aspx](http://chm.pops.int/TheConvention/ConferenceoftheParties/%20ReportsandDecisions/tabid/208/Default.aspx) |
| **9.** | **Proposed date of adoption:** Following consideration of the feedback received on the consultation document we propose to adopt the resulting amendment to Schedule 2A of the Hazardous Substances and New Organisms Act 1996 in May 2020 (indicative date). An addendum with the final text will be circulated at the time of adoption.  **Proposed date of entry into force:** Entry into force in November 2020 (indicative date) |
| **10.** | **Final date for comments:** 6 May 2020 |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  <https://www.epa.govt.nz/public-consultations/open-consultations/feedback-sought-on-new-stockholm-convention-pops/> |