

September 2022

Fumigants requiring a controlled substance licence

In order to possess any of the fumigants listed below, a person must hold a controlled substance licence (CSL).

ACTIVE INGREDIENT	HSNO APPROVAL	SUBSTANCE NAME	TRADE NAME PRODUCTS
1,3-dichloropropene	HSR001639	Liquid containing 1153g/litre 1,3-dichloropropene	Tri-Form 1,3-D, Telone Soil Fumigant
	HSR001383	1,3-dichloropropene	
1,3-dichloropropene and chloropicrin	HSR100563	Tri-Form 60	Tri-Form 60, Agrocelhone FE
	HSR001640	Liquid containing 615g/kg 1,3-dichloropropene and 345g/kg chloropicrin	Telone C-35 Soil Fumigant
Chloropicrin	HSR100063	Pic Plus Fumigant	Pic Plus Soil Fumigant
	HSR001641	Liquid containing 990g/kg chloropicrin	Pic-Fume Chloropicrin, Soil Fume CP, Die-Chlor Fumigant For Rodent Control, Omnifume CP-100, Pure-Pic Chloropicrin
Ethanedinitrile	HSR101529	Ethanedinitrile (EDN)	EDN
Hydrocyanic acid	HSR001633	Discoid containing hydrocyanic acid	
Methyl bromide	HSR001635	1000g/kg methyl bromide in the form of a gas	Triple Ocean Bromide, Ag Fume MB, Mainland MB - Methyl Bromide Brima-Fume Methyl Bromide, MeBrom 100, Omnifume MB 100
Phosphine	HSR007629	CytecGas01	Vaporph3os
	HSR001632	Gas containing 20g/kg phosphine	
Aluminium phosphide (A CSL is not required if aggregate quantity of substances that contain aluminium or magnesium phosphide is 3kg or less)	HSR001636	570g/kg aluminium phosphide	Southphos Aluminium Phosphide Tablets, Genfume Ap Plus South-Chem AIP, Quickphos, Quickphos Pellets, Aluminium Phosphide Tablets/Blankets

ACTIVE INGREDIENT	HSNO APPROVAL	SUBSTANCE NAME	TRADE NAME PRODUCTS
Magnesium phosphide (A CSL is not required if aggregate quantity of substances that contain aluminium or magnesium phosphide is 3kg or less)	HSR001634	Pellets containing 660g/kg magnesium phosphide	Magtoxin
	HSR006530	Magnesium phosphide, >26% in a non-hazardous diluent	
Methyl iodide and chloropicrin	HSR100350	Ripper 980	
	HSR100349	Ripper range (30-55% iodomethane and 45%-70% chloropicrin)	

TABLE 1: Fumigants requiring a controlled substance licence

Possessing a fumigant without a CSL

A person who does not have a CSL can possess one of the fumigants listed above if:

- a person who holds a CSL is present and available at all times to provide assistance to the person in possession of the fumigant
- the aggregate quantity of substances containing magnesium or aluminium phosphide is 3kg or less
- they are carrying out their official duties (see below).

Additionally, there are exemptions for the transportation of fumigants if certain conditions are met (see below).

Official duties

Those carrying out official duties include:

- an inspector under the Health and Safety at Work Act 2015 or any person who may exercise the powers of an inspector under the Act
- an enforcement officer appointed under the Hazardous Substances and New Organisms Act 1996
- an ACVM officer appointed under the Agricultural Compounds and Veterinary Medicines Act 1997
- a person appointed as a Customs officer for the purposes of the Customs and Excise Act 1996
- an authorised person within the meaning of the Fire and Emergency New Zealand Act 2017
- a member of the New Zealand Police
- an aviation security officer employed in the Aviation Security Service under the Civil Aviation Act 2016.

Exceptions for transportation of packaged fumigants

A person does not have to hold a CSL to transport a packaged fumigant listed in Table 1 if it is being transported by:

- rail if:
 - the train driver is fully trained in accordance with a safety system that is referred to in an approved safety case under the Railways Act 2005
- land if:
 - the person who drives, loads, and unloads the vehicle that is transporting the fumigant:
 - a. for hire or reward, or in quantities exceeding those set out in Schedule 1 of the Land Transport Rule: Dangerous Goods 2005, has a current dangerous goods endorsement on his or her driver licence
 - b. in any other case, complies with the Land Transport Rule: Dangerous Goods 2005
- sea if:
 - Part 24A of the Maritime Rules (carriage of cargoes - dangerous goods) or the International Maritime Dangerous Goods Code is complied with
- air if:
 - the Civil Aviation Rules are complied with.