

Grounds for reassessment request form

To determine if there are grounds for reassessment under section 62 of the Hazardous Substances and New Organism Act 1996

Send completed request form by email to reassessments@epa.govt.nz or alternatively by post to Environmental Protection Authority, Private Bag 63002, Wellington 6140.

Completing this request form

Getting advice

1. Please contact the Environmental Protection Authority (EPA) via reassessments@epa.govt.nz for assistance. We can help you with any questions during the preparation of your request.
2. We need all relevant information early on in the process. Quality information will help make the process efficient.
3. Any extra material that does not fit in the form should be clearly labelled and cross-referenced. If there is commercially sensitive information that should not be made public and available on our website, it should be collated in a separate document (see "[Release of information](#)" section).

Completing this form

4. The EPA will use the information you provide in this form to consider your request for grounds for reassessment of a substance or organism, as covered by section 62 of the Hazardous Substances and New Organisms Act 1996 (the HSNO Act).
5. If you are supplying information or data with this request that does not belong to you, please ensure that you have permission from the owner of the information or data.
6. Please complete all sections of this form, unless we indicate that they are optional. We cannot formally receive or process your request unless you provide all of the information requested in the mandatory sections of this form. If a section is not relevant to your request, please mark it 'not applicable'.
7. This form is designed to gather the information needed to understand and assess your request, and for interested parties to understand the purpose of the request and how their interests may be affected. We may ask for additional information to help us understand the grounds request. We will endeavour to identify further information requirements before the grounds request is formally received. Please note that we may request additional information from you or any other source at any time during the process.
8. We strongly advise applicants to provide as much information as possible about the substance and its use. This information helps our assessment and informs the decision-makers. To prevent delays in processing the application, all available information on the substance and active ingredient/s must be provided with your request form.
9. You must sign this request form (the EPA will accept electronically signed forms) and send it to us by email (reassessments@epa.govt.nz) or alternatively by post (Private Bag 63002, Wellington, 6140).
10. Once we have received your request, we will send you an acknowledgement by email with your assigned advisor who will be keeping you informed throughout the process. We will then issue an invoice for the appropriate fee. Information about fees is available on the EPA website.

Privacy

11. The EPA will collect any personal information supplied in this form for the purpose of administering your grounds for reassessment request under the HSNO Act and will use the personal information you provide in this form to contact you in relation to your grounds for reassessment request.
12. Personal information supplied by you to the EPA is subject to the [Privacy Act 2020](#), the [Official Information Act 1982](#), and the [Public Records Act 2005](#).
13. Your application will be made publicly available on our website, but your personal details will not be disclosed. We will store your personal information securely.
14. You have the right to access the personal information we hold about you and to ask for it to be corrected if it is wrong. If you would like to access your personal information, or have it corrected, please contact us at reassessments@epa.govt.nz or write to us (using this [template letter](#)) at:
The Privacy Officer
Environmental Protection Authority
Private Bag 63002
Waterloo Quay
Wellington 6140

Release of information

15. The EPA will use the information you provide in this form to consider your grounds request. This form will be made publicly available on the EPA website and is subject to the Official Information Act 1982 (OIA).
16. Commercially sensitive information and trade secrets may be identified by placing it in an approved EPA Confidential Appendix form. Please explain in the relevant section of this form your detailed reasons for considering it to be commercially sensitive or a trade secret. We will review the information you provide and assess whether the information may be withheld.
17. If we decide that the information you have provided is not commercially sensitive or a trade secret, then the information provided will be made publicly available with the rest of your request for grounds for reassessment. This information will also be subject to an OIA request.
18. If you provide scientific studies or other reports as part of your grounds request that you consider to be commercially sensitive or a trade secret, you must also provide a summary of each study or report, its methods and results that can be made publicly available.
19. If an OIA request is made for the release of information that you consider to be confidential, your view will be considered in a manner consistent with the OIA and with section 57 of the HSNO Act. You may be required to provide further justification for your claim of confidentiality.
20. Please see the guide on supplying confidential or commercially sensitive information under the HSNO Act our website: [Supplying confidential or commercially sensitive information under the HSNO Act](#).
21. Further information on the OIA is available at www.ombudsman.parliament.nz/

Section 1: Applicant details

1.1 Name and postal address of the organisation or person making the application:

Legal name of organisation or person:

Environmental Law Initiative

NZBN:

Postal address:

Epworth House, 75 Taranaki St, Wellington

Contact person and role:

Phone:

Email:

Email for our invoice, if different:

1.2 Applicant's contact details in New Zealand for the application, if different from 1.1:

This person should have sufficient knowledge to respond to queries and either have the authority to make decisions that relate to processing the application on behalf of the applicant, or have the ability to go to the appropriate authority.

Legal name of organisation or person:

NZBN:

Postal address:

Contact person and role:

Phone:

Email:

Section 2: Hazardous substances details

2.1 Name of the substance (identify the substance as fully as possible).

If more than one substance is involved – for example, the active ingredient and the products – they should all be listed.

Glyphosate (active ingredient) and glyphosate-based herbicides listed at 2.2.

2.2 If the substance has been assessed by the authority, list the reference numbers(s) of the existing approval (from the authority's register).

If more than one substance is involved – for example, the active ingredient and the products – they should all be listed.

In a OIA response dated 30 November 2022, EPA informed ELI that there were 90 approved substances containing glyphosate. We have searched the EPA applications database and the approvals register using the search term “glyphosate”. From this we have compiled a list of 83 substances, including the active ingredient. These are listed in the attached spreadsheet labelled Appendix 1. If EPA has approved other glyphosate-based herbicides which have not been included in the publicly accessible databases, or not retrievable using the search term “glyphosate”, we request that these substances are added to this application.

Section 3: Grounds for reassessment

3.1 Has significant new information relating to the effects of the substance become available?

Yes Not applicable

Provide details of the significant new information relating to the effects of the substance (include the date and a summary of the information)

Glyphosate was first approved for use in Aotearoa New Zealand in the 1970s, prior to the establishment of the EPA. The EPA has not assessed or reassessed glyphosate as a substance since that time.

The Environmental Law Initiative (ELI) has gathered a wealth of independent scientific evidence on glyphosate, including on exposure pathways and the human health and environmental effects of glyphosate (and its co-formulants). This independent scientific evidence, compiled in the attached Appendix 2, sets out that glyphosate (and co-formulants) has significant effects on aquatic ecosystems and on terrestrial ecosystems. There is evidence that glyphosate (and co-formulants) has negative impacts on a wide range of taxonomic groups including bees, soil microbiota, aquatic invertebrates, fish, non-target plants, terrestrial invertebrates and terrestrial vertebrates. ELI has also curated independent scientific evidence of glyphosate impacts on the human nervous system, human endocrine system, and as a probable human carcinogen. A recent meta-analysis has also shown that showed that individuals exposed to glyphosate-based herbicides have a 41% increase in risk for non-Hodgkin lymphoma. All but one of the scientific papers aggregated by ELI are from 2015 and later.

This information is significant for a number of reasons, including the sheer wealth of evidence, the significance and breadth of the negative effects and the fact that this information is compiled from independent scientific studies.

The independent scientific evidence in Appendix 2 points to serious deficiencies in the information that is routinely used to assess hazardous substances, including glyphosate-based herbicides. For example, a recent meta-analysis on the terrestrial ecotoxicity of glyphosate and glyphosate-based herbicides indicated that many studies ignore the complexity of real-world systems and consider only the short-term effects of a single application of glyphosate to a single 'representative' species. Real world circumstances that are often ignored include:

- Interactions with supposedly "inert" co-formulants which often increase toxicity of glyphosate by increasing solubility, adsorption, and absorption.
- Interactions with other pesticides and agrochemicals.
- Changes in ecosystems and trophic interactions due to varying impact of glyphosate of different species.
- Impact of changing soil microbiota compositions and its effect on plant health.

- Chronic exposure to long-term use of glyphosate and how this varies by generation length of species.
- Negative effects on the millions of species that are not classified as ‘representative species’
- The negative effects of glyphosate being highly species specific – this has significant implications for Aotearoa New Zealand which has high levels of endemism and few (if any) studies of the impact of glyphosate on our endemic taxa.
- Indirect effects on invertebrate and vertebrates through the impact of glyphosate on bacterial and fungal species (e.g., gut bacteria).

There are also significant deficiencies in the studies used to assess glyphosate by other regulators, and in the information relied upon by EPA in its response to the IARC 2015 report.

In ELI’s view, the real-world adverse effects (and the studies which demonstrate them) should be factored into EPA’s decision making as they relate squarely to the purpose of the Hazardous Substances and New Organisms Act 1996 (HSNO), “to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms.”

The significant information in Appendix 2 is also new information. In line with EPA’s own decision making on other hazardous substances (e.g. APP204188), this information is new as it was not available for consideration by decision makers at the time of glyphosate’s approval as an active ingredient. This information was also not available for consideration for the majority of the currently approved glyphosate-based herbicides. The majority of glyphosate-based herbicides were approved pre-2015 – therefore the information in Appendix 2 (which is from a later date) would not have been available to those decision makers. From the publicly available records, approximately 25 glyphosate-based herbicides have been approved post-2015. For approximately 20 of these substances, the assessment process placed implicit or explicit reliance on previously approved glyphosate containing substances, including reference substances. The assessments of these 25 glyphosate containing substances approved post 2015 principally rely on applicant provided information. There are no references to the independent scientific studies as captured in Appendix 2 and no evidence that the information in Appendix 2 was available to decision makers.

The information contained in Appendix 2 is both significant and new and establishes that grounds exist to reassess glyphosate and glyphosate-based herbicides (as per s 62(2)(a) of HSNO).

Further information provided?

Yes

No

Please indicate where this can be found (For example, attached as an Appendix.):

Appendix 2.

Commercially sensitive information provided?

Yes

No

Please indicate where this can be found (For example, attached as an Appendix.):

--

3.2 Has another substance with similar or improved beneficial effects and reduced adverse effects become available?

Yes Not applicable

Provide details of the information relating to the effects of the newly available substance (include the date and any relevant information). The beneficial and adverse effects of the new substance should be compared with those of the substance you propose should be reassessed.

Further information provided? Yes No

Please indicate where this can be found (For example, attached as an Appendix.):

Commercially sensitive information provided? Yes No

Please indicate where this can be found (For example, attached as an Appendix.):

3.3 Has information showing a significant change of use of the substance become available?

Yes Not applicable

Provide details of the significant change of use of the substance (include the former use and information on how this change has come about) *Please note: This section is not applicable for proposed changes in use – please use question 3.1 to provide this information instead.*

Further information provided? Yes No

Please indicate where this can be found (For example, attached as an Appendix.):

Commercially sensitive information provided? Yes No

Please indicate where this can be found (For example, attached as an Appendix.):

3.4 Has information showing a significant change in the quantity of the substance manufactured, imported, or developed become available?

Yes Not applicable

Provide details of the significant change in the quantity of the substance manufactured, imported, or developed. *Please note: This section is not applicable for proposed changes in quantity – please use question 3.1 to provide this information instead.*

Further information provided? Yes No

Please indicate where this can be found (For example, attached as an Appendix.):

Commercially sensitive information provided? Yes No

Please indicate where this can be found (For example, attached as an Appendix.):

3.5 Has the substance been included on the reassessments work plan?

Yes Not applicable

3.6 Are there any other reasons for requesting a reassessment or any other information relevant to this request?

Yes Not applicable

Further information provided?

Yes No

Please indicate where this can be found (For example, attached as an Appendix.):

Commercially sensitive information provided?

Yes No

Please indicate where this can be found (For example, attached as an Appendix.):

Section 4: Declaration

- I am making this request, or am authorised to sign on behalf of the applicant or applicant's organisation.
- I have completed this grounds for reassessment request form to the best of my ability and, as far as I am aware, the information I have provided in this application form is correct.

15 September 2023_____

Signature

Date

To submit a request to determine if there are grounds for a reassessment, send the completed form and any supporting documentation to the EPA Reassessments team:

- preferably by email to: reassessments@epa.govt.nz
- or by post to: Environmental Protection Authority, Private Bag 63002, Wellington 6140

You will be invoiced once the request form has been processed and checked for completeness.

[See our website for information about fees and charges.](#)

For assistance with preparing your request, contact one of our Reassessments Advisors:

- by email: reassessments@epa.govt.nz
- Freephone (within New Zealand): 0800 CALLEPA (0800 225 537)