SUBMISSION ON

Proposed Group Standard for Treated Seed– second consultation

30th October 2026

To: Environmental Protection Authority
Name of Submitter: Horticulture New Zealand

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Horticulture™ New Zealand
Ahumāra Kai Aotearoa

OVERVIEW

Submission structure

1. Part 1: HortNZ's Role
2. Part 2: Executive Summary
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Our submission

Horticulture New Zealand (HortNZ) thanks the EPA for the opportunity to comment on the second consultation for the proposed Group Standard for Treated Seed and welcomes further discussion of this submission.

HortNZ wishes to be heard in support of our submission.

The details of HortNZ's submission and decisions sought are set out below.

This submission is supported by:

New Zealand Vegetable Council (NZ Veg)

PART 1

HortNZ's Role

Background to HortNZ

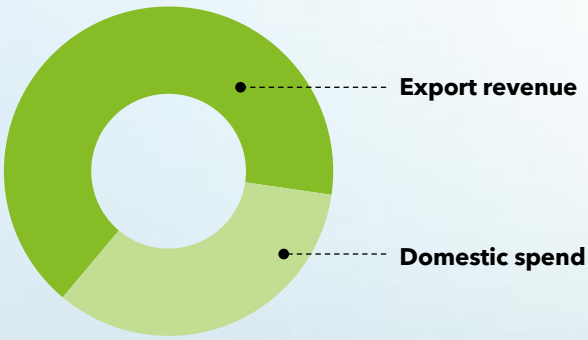
HortNZ represents the interests of approximately 4,300 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruits and vegetables. The horticultural sector provides over 40,000 jobs.

There are approximately 80,000 hectares of land in New Zealand producing fruit and vegetables for domestic consumers and supplying our global trading partners with high quality food.

It is not just the direct economic benefits associated with horticultural production that are important. Horticulture production provides a platform for long term prosperity for communities, supports the growth of knowledge-intensive agri-tech and suppliers along the supply chain; and plays a key role in helping to achieve New Zealand's climate change objectives.

The horticulture sector plays an important role in food security for New Zealanders. Over 80% of vegetables grown are for the domestic market and many varieties of fruits are grown to serve the domestic market.

HortNZ's purpose is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand.



Industry value $9.25bn
Farmgate value $5.3bn
Export revenue $6.70bn
Domestic spend $2.55bn

Source: HortNZ Annual Report 2026

HortNZ's involvement with crop protection regulation

On behalf of its grower members HortNZ works to help ensure that the regulatory settings and services that affect the availability and affordability of crop protection products in New Zealand are appropriate, workable, and cost-effective.



PART 2

Executive Summary

HortNZ supports establishing a Treated Seed Group Standard to close the regulatory gap and manage environmental risks. However, the proposed controls must be proportionate to actual risks and practical for commercial food production.

HortNZ considers that the revised proposal overstates the risks associated with treated seed, particularly precision-planted vegetable seed, duplicates existing controls and imposes disproportionate compliance costs. It could also restrict access to internationally approved seed-treatment technologies and associated seed genetics, affecting productivity, competitiveness and domestic food security.

HortNZ recommends that the EPA:

1. Broaden the scope to minimise treated seed supply disruption.

Include treated seed containing new active ingredients approved for relevant uses by at least two of the EPA's five trusted international regulators, subject to appropriate New Zealand-specific safeguards. The EPA's assessment under Proposals 2 and 25 acknowledges that dilution can substantially reduce acute toxicity, supporting an approach based on the actual exposure and risks associated with finished treated seed.

2. Expand risk-based exemptions for small seed packages and indoor sowing.

- Increase the labelling exemption threshold for all treated seed to 5 kg, reflecting commercial packaging practices.
- Extend sowing exemptions beyond glasshouses and greenhouses to other enclosed indoor facilities.

3. Remove duplicative colouring obligations on growers.

The responsibility for ensuring treated seed is appropriately coloured already rests with manufacturers and importers.

4. Provide practical implementation and transitional arrangements.

Extend the proposed implementation timeframes by 12 months to accommodate international seed production and supply cycles. Introduce a transitional notification pathway for existing treated-seed lines to avoid supply disruptions while importers work towards full compliance.

5. Ensure proportionate certified-handler and tracking requirements.

Work with WorkSafe to establish a practical method for determining seed-coating hazard classifications, with the necessary information provided by manufacturers or importers rather than growers. Certified-handler and tracking requirements should reflect the classification and actual risks of the treated seed coating, rather than those of the undiluted active ingredient.

HortNZ urges the EPA to adopt an enabling, evidence-based and risk-proportionate framework that protects the environment while maintaining access to essential seed technologies, supporting innovation and safeguarding New Zealand's domestic food production.

PART 3

Submission

1. General comments

HortNZ continues to support effective, science-based and risk-proportionate regulation of hazardous substances that protects people, the environment, and growers' long-term ability to produce healthy fresh fruit and vegetables for New Zealanders.

We acknowledge the regulatory gap identified for treated seed and the EPA's work to develop and refine the approach through recent consultation processes; including the incorporation of industry suggestions to improve the efficiency and effectiveness of the proposed regulations. The revised proposal is a significant improvement.

However, HortNZ seeks further consideration of efficiency, necessity, regulatory and administrative burden, duplication, and potential impacts on growers and New Zealand consumers. Further amendments are needed to avoid over-regulation, disproportionate impacts, unintended loss of access to international vegetable seed supply, disruption to domestic food production, and a shift toward less targeted and more intensive crop-protection practices.

Our key concerns with the current proposal are:

- **Risk assumptions and proportionality:** The revised proposal does not sufficiently distinguish between concentrated treatment products and finished treated seed, or between higher-exposure pathways and precision-planted vegetable seed that is managed through established industry stewardship practices.
- **Access to commercial vegetable seed:** excluding the active ingredient not approved in New Zealand from the group standard would make some imports commercially unviable, reduce access to hybrid and innovative seed lines, increase costs, and potentially shift pest and disease management towards less targeted and more intensive field applications.
- **Misalignment with regulatory-efficiency objectives:** Excluding treated seed containing active ingredients not already approved in New Zealand limits the effectiveness of the standard by making access dependent on the prior approval status of the active ingredient, rather than whether the treated-seed use can be safely managed under the standard's conditions.
- **Implementation:** Transition periods and eligibility settings should reflect international seed-production, treatment, packaging and shipping cycles, and should avoid discouraging future seed-treatment technologies and sustainable production practices.

When setting regulations, the EPA should assess the wider economic, food-security, health, and socio-cultural consequences of losing access to established seed lines and crop-production systems. Disruption to domestic vegetable production caused by duplicative and disproportionate regulation could put both New Zealand's food security and economic drivers at risk.

1.1. Vulnerability of New Zealand's food production system and dependence on imported genetics

New Zealand's food-production system is inherently vulnerable to disruptions, particularly within the global seed supply chains. As a small market, New Zealand depends heavily on overseas seed lines, gene banks, breeding programmes, proprietary hybrid genetics and commercial suppliers. Continued access to these international systems is fundamental to the productivity, resilience and competitiveness of horticultural production.

Seed genetics and seed-treatment technologies are often supplied as an integrated commercial product rather than as separately selectable components. Coupled with New Zealand's small market, growers and importers may therefore be unable to obtain the same genetics as untreated seed or to choose a different treatment package. As global suppliers progressively adopt new seed-treatment technologies, continuing to produce untreated seed, retaining an older treatment solely for New Zealand, or creating a separate New Zealand-specific product line is likely to be technically and commercially impracticable.

Regulatory restrictions on treated seed may therefore affect more than access to a particular active ingredient. They may also restrict access to the underlying genetics on which growers rely for crop establishment, uniformity, maturity, quality, productivity and resilience.

HortNZ considers that continued access to established imported seed lines, including proprietary hybrid varieties supplied with integrated treatment packages, is essential to maintaining New Zealand's domestic food-production capability.

1.2. Wider impact of restricted access to seed treatment innovation

Restricted access to treated seed could have material consequences for crop production, environmental outcomes and the affordability of domestically produced food. Seed treatments provide targeted protection during germination and early crop establishment by applying relatively small quantities of active ingredient directly to the seed.

International seed-treatment systems also continue to evolve as suppliers introduce newer active ingredients and multi-active treatment packages. These developments may improve the control of seed-borne and soil-borne pathogens, support resistance management, improve seed safety and provide effective protection at comparatively low active-ingredient loadings. Global suppliers progressively replace older treatment where newer options provide commercial, agronomic or resistance-management advantages.

Because genetics and treatment packages are commonly integrated, restricting access to a treatment may also prevent New Zealand growers from obtaining improved or established seed lines. The resulting consequences could include poorer crop establishment, reduced plant populations and uniformity, lower yields, increased input costs and disruption to established growing, processing and supply arrangements.

These effects must also be considered alongside New Zealand's existing challenges in accessing new crop-protection products. Loss of access to internationally supplied treated seed could widen the technology gap between New Zealand growers and overseas competitors, reduce the economic feasibility of domestic production and contribute to higher food prices. It may also weaken the resilience of domestic food supply by increasing dependence on imported produce.

HortNZ considers that the EPA's assessment should explicitly examine these wider consequences when evaluating costs, benefits and risk-management options. This assessment should consider the exposure profile of the finished treated seed, the availability and impacts of alternative controls, and the consequences of losing access to the associated seed genetics.

1.3. Unintended consequences through de facto ban of established seed import dependencies

As outlined in sections 1.1 and 1.2, New Zealand depends on imported hybrid genetics and internationally integrated seed-treatment systems. Excluding all treated seed containing an active ingredient not already approved in New Zealand could create a de facto barrier to imports of established and innovative seed. This could occur where exposure from the finished treated seed is low and the associated risks can be effectively managed through the conditions of the proposed Group Standard.

Where only limited quantities of finished treated seed are supplied to the New Zealand market, obtaining a full approval for the concentrated treatment product may not be commercially viable, particularly when the product itself will not be imported or used in New Zealand. Overseas product owners may therefore have little incentive to fund a separate approval, while seed suppliers may be unable to provide untreated seed or undertake a separate treatment run specifically for the New Zealand market given its comparatively small size.

Even where obtaining approval is commercially viable, the EPA's existing application queue and lengthy approval timeframes could result in prolonged disruption to seed supply and growers' access to affected seed varieties. While the EPA indicated in the consultation paper that the rapid assessment international regulator pathway (s28A(2)(ab) of the Act) may provide a streamlined pathway for obtaining approval, we are not aware of this pathway having been used to assess and approve new active ingredients. These barriers may result in an alternative treatment not being made available to NZ. Instead, New Zealand growers could lose access to the relevant proprietary hybrid or seed line.

HortNZ seeks a proportionate pathway that enables the EPA to assess the exposure profile of the finished treated seed and take account of relevant assessments and controls applied by recognised international regulators. This would preserve EPA oversight while avoiding disrupting treated seed supply.

Case Study: Unintended loss of access to proprietary sweetcorn seeds

This case study demonstrates how certain sweet corn seeds could become unavailable if New Zealand-specific treatment and package is required, and its potential impacts.

New Zealand's sweetcorn industry relies on imported proprietary hybrid seed developed and treated through global seed suppliers. New Zealand imports approximately 6 tonnes of sweetcorn seed annually, primarily from the United States (preliminary information provided by SGNZ and MPI and based on crop production area). Reliable hybrid genetics support crop establishment, uniformity, maturity and processing. The genetics and fungicide treatment are commonly supplied as an integrated commercial product. The same hybrid may not be available untreated.

Global seed suppliers are progressively adopting newer active ingredients and multi-active fungicide packages. Inpyrfluxam illustrates this transition in seed-treatment technology. Where these treatments become part of a supplier's standard global package, retaining an older treatment, supplying untreated seed or undertaking a separate treatment run solely for New Zealand is likely to be technically and commercially impracticable.

If a sweetcorn hybrid is excluded from the proposed Group Standard because its treatment contains an active ingredient not approved in New Zealand, growers may lose access to the hybrid, rather than being able to obtain it with an alternative treatment. This reduces access to high-performing genetics, increases seed and production costs, weakens crop establishment and disrupts established growing, processing and export arrangements. This dependency is commercially significant. In 2023, New Zealand produced approximately 77,000 tonnes of processed sweetcorn from around 3,300 hectares, with reported exports valued at NZ$26.5 million.

Consequently, this would influence economic feasibility of multiple sectors, impact local employment and hinder New Zealand's economic prosperity.

1.4. Recognising lower-exposure applications of treated vegetable seed

HortNZ considers that commercially used treated vegetable seed should be recognised as a low-risk category, reflecting its substantially lower potential for environmental exposure and inherent risk mitigation practices.

Treated seed contains a relatively small quantity of active ingredient applied directly to the seed at a controlled loading rate. As the EPA recognises, significant dilution occurs during seed treatment, meaning treated seed has a substantially different exposure profile from the concentrated treatment product.

Commercial vegetable seed is generally sown using precision planting methods, placing seed at a defined location and rapidly incorporating it into the soil. Precision sowing itself minimises exposure risk to the environment and reduces the likelihood of access by birds and other non-target organisms. Some vegetable seeds such as broccoli, cauliflower, cucumber, pepper, and lettuce are first germinated in controlled greenhouse environments and subsequently transplanted into the field, further limiting environmental exposure. This reduces the likelihood of exposure to non-target organisms, movement beyond the growing area, or entry into waterways. This differs from broadcast or aerial application, where the potential for environmental exposure is greater. The regulatory framework should therefore

distinguish between these different use patterns and acknowledge the controlled application practice.

HortNZ recommends that treated vegetable seed used in commercial horticultural production be explicitly recognised as a low-risk use category within the proposed Group Standard, with controls proportionate to its actual exposure profile. This could be achieved through an appropriate exemption or reduced set of requirements for precision-sown vegetable seed.

1.5. The proposed group standard does not fully realise the efficiency and effectiveness benefits of a group standard

We support establishing a group standard for treated seed, but consider that the proposed scope does not fully achieve the efficiency and effectiveness contemplated by section 96C of the Hazardous Substances and New Organisms Act 1996 (HSNO Act).

The purpose of a group standard is to enable substances with similar characteristics or circumstances of use to be managed effectively through a common set of conditions. The proposed standard appropriately recognises that treated seed presents a sufficiently consistent use and exposure profile to be managed through common controls. However, its exclusion of treated seed containing active ingredients that are not already approved in New Zealand limits the practical regulatory benefit of this approach.

Under the proposed scope, treated seed containing an existing New Zealand-approved active ingredient could be managed under the group standard, while treated seed containing a new active ingredient would still require a separate Part 5 approval. This means that the regulatory requirement depends primarily on whether the active ingredient has previously been approved in New Zealand, rather than on whether the risks associated with the treated-seed use can be effectively managed through the conditions of the proposed group standard.

This limits the group standard's ability to provide a predictable and efficient pathway for new products and technologies.

We therefore consider that the group standard should be designed to accommodate future treated seed products, rather than primarily codifying the regulation of active ingredients that have already been individually approved in New Zealand. This would better support the statutory objective of managing similar risks through a common set of conditions and would more fully deliver the intended efficiency and effectiveness benefits of a group standard.

2. HortNZ seeks further amendments to the proposal

HortNZ considers that the revised Group Standard, in its current form, remains impractical, overstates risk, does not make sufficient use of the provision for Group Standards in the HSNO Act, and does not align with multiple recommendations from the Ministry of Regulation's Agricultural and Horticultural Products Regulatory Review. The recommendations of most relevance are:

- Recommendation 5 – EPA should increase the use and better design of group standards.
- Recommendation 7 – EPA should maximise its use of risk assessments conducted by international regulators.

- Recommendation 8 – EPA should prioritise engagement at an international level to support harmonisation of requirements.

HortNZ seeks further improvements outlined below and summarised in Appendix 1.

2.1. Include active ingredients approved by recognised international regulators into the Group Standard

HortNZ recommends that the EPA includes active ingredients that have been approved by their recognised trusted international regulators into the scope of the Group Standard. Our previous submission (Appendix 2) already sets out the supporting reasons.

HortNZ considers the Group Standard's proposed conditions can effectively manage the risks from treated vegetable seed, whether or not the active ingredient is already approved by the EPA. Those conditions address environmental exposure to residual hazardous substances in finished treated seed, not exposure to the undiluted substance. Active ingredients approved by EPA-recognised international regulators have already undergone human-health and environmental risk assessment and are subject to comparable controls. There is therefore no risk-based reason to exclude finished seed treated with those ingredients where the Group Standard's conditions adequately manage the resulting exposure.

A blanket exclusion based solely on the absence of prior New Zealand approval is neither risk-based nor proportionate. Although the EPA must assess risks in the New Zealand context, "not previously approved in New Zealand" describes a regulatory status and not whether the finished treated seed presents an unacceptable or significant risk. That status should not be treated as equivalent to "assessed and found unacceptable", particularly where at least two EPA-recognised international regulators have authorised the same or a materially comparable seed-treatment use.

Requiring a separate Part 5 approval for the concentrated active ingredient or treatment product is disproportionate to its use in treated seed, particularly in circumstances where the concentrated ingredient it not likely to be imported, manufactured or applied in New Zealand; and notably will present a different risk profile.

HortNZ acknowledges the EPA's suggestion that the rapid international assessment pathway could provide an alternative route for approving new-to-New Zealand active ingredients used in seed treatments. However, its practical effectiveness is limited by:

- Limited precedent: The pathway has not, to HortNZ's knowledge, been used to approve a new-to-New Zealand active ingredient.
- Approval delays: Applications remain subject to EPA processing capacity and existing queues, potentially delaying access to treated seed.
- Applicant and data requirements: Approval depends on a willing applicant with access to the necessary proprietary data and supporting evidence.
- Commercial viability: Application costs, assessment timeframes and the relatively small New Zealand market may discourage overseas suppliers from seeking approval.

Consequently, reliance on this pathway alone would not adequately address the risk of losing access to internationally available treated seed and associated seed genetics. HortNZ therefore recommends extending the Group Standard to include active ingredients approved for relevant uses by at least two of the EPA's five recognised

international regulators. Requiring approval by at least two of the EPA's recognised international regulators would provide additional regulatory assurance while enabling New Zealand to benefit from established overseas assessments. This approach is consistent with the proposed temporary hazardous substance approval pathway under section 29A of the HSNO Amendment Bill 2026, which recognises authorisation by at least two international regulators as an eligibility criterion, subject to appropriate risk-management controls.

HortNZ considers that adopting a similar approach for treated seed, alongside the proposed hazard exclusions, controls on finished treated seed and consideration of New Zealand-specific risks, would provide a proportionate alternative to requiring individual HSNO approvals for every new active ingredient used in imported treated seed. This approach aligns with multiple recommendations from the Ministry of Regulation's Agricultural and Horticultural Products Regulatory Review.

OUTCOME SOUGHT:

Suggested wording for insertion to clause 4 subclause (5):

Subclause (4) does not apply to:

(c) treated seed containing one or more active ingredients that would otherwise be excluded under subclause (4), provided each such active ingredient has been authorised for a comparable seed-treatment use by at least two international regulators recognised by the Authority.

2.2. Exemption from certain labelling requirements for small packages

HortNZ supports proportionate exemptions from certain labelling requirements for small packages of treated seed. However, the proposed 50 g threshold for non-grass seed appears unnecessarily restrictive and lacks a clear risk-based justification. The EPA proposes a higher threshold of 1 kg for treated grass seed and a separate 1 kg exemption from safety data sheet requirements for all treated seed, without adequately explaining the basis for these differences.

A 5 kg threshold better reflects established commercial packaging practices for certain vegetable crops. For example, commercial seed suppliers offer 5 kg packages for peas and beans, while England's Seed Marketing Regulations recognise packages of up to 5 kg as small packages for certified vegetable legume seed. Although these regulations do not provide an exemption from pesticide hazard labelling, they demonstrate that the proposed 50 g threshold does not adequately reflect commercial seed supply practices.

The EPA acknowledges that typical seed-treatment rates range from 0.1 to 10 g of active ingredient per kilogram of seed, equivalent to approximately 0.5–50 g in a 5 kg package. While quantity alone does not determine risk, finished treated seed has a different exposure profile from concentrated treatment products. Established practices, including precision sowing and soil incorporation, can further reduce environmental exposure.

HortNZ considers that a 5 kg threshold would provide a practical and administratively workable basis for proportionate labelling requirements, reducing unnecessary New Zealand-specific relabelling costs. Essential treatment identification, hazard warnings and safety precautions should remain available to users. The EPA's proposed clause 1(8) already permits information to be provided through durable accompanying

documentation where it cannot fit on the primary label. HortNZ supports retaining this flexibility and avoiding unnecessary duplication of information.

HortNZ recommends replacing the separate 50 g and 1 kg thresholds under Schedule 1, clause 1(10), with a uniform 5 kg threshold for all treated seed, while retaining essential risk-based safety information. If the EPA does not accept the 5 kg threshold, HortNZ requests a uniform 1 kg threshold as an alternative, together with a clear risk-based justification for any lower threshold.

OUTCOME SOUGHT:

Amendments to be made:

4(10) Subclauses (2)(c)-(e), 3(a), (c)-(g) and (4) – (9) do not apply to~~=~~

~~(a)~~ treated seed in packages of 5~~0~~ kg or less~~, or~~

~~(b) treated grass seed in packages of 1kg or less~~

2.3. Exemption for treated seed applied in indoor settings

HortNZ supports the proposed exemption for treated seed applied in a glasshouse or greenhouse, but considers that the exemption should be broader and apply to other indoor settings where environmental exposure is similarly limited.

The proposed exemption appropriately recognises that applying treated seed in a controlled environment can substantially reduce the potential for environmental exposure. However, limiting the exemption to a "glasshouse or greenhouse" does not capture all situations in which vegetable seed is germinated or established under controlled indoor conditions.

For example, vegetable seeds may be germinated or raised in sheds or other enclosed growing environments before being transplanted into the field or a glasshouse. These activities present similarly limited environmental exposure and should therefore be subject to the same requirements.

HortNZ requests that subclause (11) be amended so that the exemption applies to treated seed applied in an "indoor setting", rather than being limited to a glasshouse or greenhouse.

OUTCOME SOUGHT:

Amendments to be made:

4(11) Subclauses (3) and (6) do not apply to a person applying treated seed in ~~a glasshouse or greenhouse~~ an indoor setting.

2.4. Remove duplication of the colouring requirements

HortNZ opposes the requirement for a person applying treated seed to ensure that the seed is coloured in accordance with subclause (1).

The proposed requirement duplicates the obligation already placed on importers and manufacturers under clause 4(2) to ensure that treated seed is appropriately coloured. Requiring the person applying the seed to separately ensure compliance with the same requirement creates an unnecessary duplication of obligations without providing a corresponding additional risk-management benefit.

The responsibility for ensuring that treated seed is appropriately coloured should remain with the importer or manufacturer responsible for supplying the treated seed. This provides a clear point of responsibility and avoids imposing an additional and duplicative compliance obligation on growers and other users.

OUTCOME SOUGHT:

Deleted clause 4(6)(a) be deleted:

~~(a) "Ensure the seed is coloured in accordance with subclause (1)."~~

2.5. Implementation period should be aligned with global manufacturing process

The implementation period for closing this identified regulatory gap needs to consider the multi-year nature of international seed supply chains. Seed production, treatment selection, regulatory documentation, packaging design, labelling printing, export preparation and shipping is often commissioned years before seed reaches New Zealand.

A short transition period could strand seed already produced or treated for New Zealand and require relabelling or repackaging that overseas suppliers are unwilling to undertake or are costly for importers and growers. Transitional arrangements should consider the date of commercial commissioning, including import and sales agreements, treatment or contractual commitment, and be set sensibly within a reasonable period for importers to comply without additional costs and administrative burden.

HortNZ requests a 12-month extension to each proposed implementation timeframe for the Group Standard. HortNZ also recommends transitional arrangements for established imported treated-seed lines containing internationally approved active ingredients that would otherwise fall outside the Group Standard. These should allow sufficient time for suppliers to obtain the necessary approvals or transition to compliant treatments without unnecessarily disrupting existing commercial seed supply arrangements.

OUTCOME SOUGHT:

Extend each proposed implementation point by 12 months

Reporting requirements set to two years, and labelling requirements to three years after the group standard comes into force.

Provide a transitional notification pathway for existing treated-seed lines while importers collect the information needed for full compliance.

2.6. Ensure proportionate certified-handler and tracking requirements (Section 9.4, HSW Questions 2–5).

HortNZ is concerned that treated seed containing an acute toxicity Category 2 (6.1B) active ingredient could trigger certified-handler and tracking requirements where the hazard classification of the seed coating cannot be established. The classification of the coating would differ significantly from that of the concentrated treatment product due to dilution. Without clear classification information, growers could face unnecessary certification, record-keeping and operational costs.

HortNZ recommends that the EPA work with WorkSafe to establish a clear, practical method for determining seed-coating hazard classifications. Manufacturers and importers should provide the necessary concentration and classification information, rather than placing this responsibility on growers. Certified-handler and tracking requirements should apply only where the coating meets the relevant hazard classification, with proportionate controls considered where permitted by the legislation.

3. Conclusion

HortNZ supports a Group Standard for Treated Seed that closes the regulatory gap while applying practical, evidence-based controls proportionate to actual exposure risk. Overstated risk, overregulation and disproportionately restrictive controls, including exclusions not justified by risk, would undermine the workability and commercial feasibility of horticultural production. They could also create a de facto ban on essential treated seed, with unintended consequences for growers, domestic food production, consumers, trade and New Zealand's wider economy.

The final standard should protect people and the environment without unnecessarily restricting access to essential seed genetics, treatment technologies and established supply arrangements that support New Zealand's food production.

HortNZ requests that the EPA:

1. Allow the Group Standard to cover treated seed containing active ingredients approved for comparable uses by recognised international regulators, subject to high-hazard exclusions and EPA safeguards, by amending subclause (4).
2. Apply the small-package labelling and SDS exemption to all treated seed in packages of 5 kg or less by amending subclause (10).
3. Extend the exemption in subclause (11) to treated seed applied in any indoor setting, rather than only a glasshouse or greenhouse.
4. Delete clause 4(6)(a), so responsibility for colouring treated seed remains with importers and manufacturers and is not duplicated for users.
5. Extend the proposed implementation dates by 12 months, providing two years for reporting requirements and three years for labelling requirements after the Group Standard comes into force.
6. Provide a transitional notification pathway for existing treated-seed supply arrangements while importers obtain the information needed for full compliance.

Appendix 1. Summary of proposed provisions and related decisions sought

Without limiting the generality of the above, HortNZ seeks the following decisions. Additions are indicated by bolded underline, and deletions by strikethrough text.

Provision	Support/ oppose	Reason	Decision sought
Exclusion of treated seed containing an active ingredient that has not been approved in New Zealand	Oppose	• The proposed exclusion limits the efficiency benefits of the group standard by requiring treated seed containing new active ingredients to undergo a separate Part 5 approval. The group standard should provide a pathway for new products where the risks associated with the treated-seed use can be appropriately managed through the standard conditions.	Insert below text to clause 4 subclause (5): Subclause (4) does not apply to: **(c) treated seed containing one or more active ingredients that would otherwise be excluded under subclause (4), provided each such active ingredient has been authorised for a comparable seed-treatment use by at least two international regulators recognised by the Authority.**
Exemption from labelling requirements for packages	Support with amendment	• Small packages of treated seed present limited potential for environmental and user exposure. • The exemption should be based on package size rather than seed type, as the relevant exposure considerations apply to treated seed generally.	Amendments to be made: 4(10) Subclauses (2)(c)-(e), 3(a), (c)-(g) and (4) – (9) do not apply to= ~~(a)~~ treated seed in packages of 5~~0~~ **k**g or less~~, or~~ ~~(b) treated grass seed in packages of 1kg or less~~
Requirement for a person applying treated seed to ensure the seed is coloured in	Oppose	• The colouring requirement is already imposed on importers and manufacturers under clause 4(2).	Deleted clause 4(6)(a) be deleted: ~~(a) "Ensure the seed is coloured in accordance with subclause (1)."~~

accordance with subclause (1)		• Requiring the person applying the seed to ensure compliance creates an unnecessary duplication of obligations.	
Exemption for a person applying treated seed in a glasshouse or greenhouse	Support with amendment	The proposed exemption recognises reduced environmental exposure in controlled environments. Extending it beyond glasshouses and greenhouses to other enclosed indoor settings would ensure consistent treatment of comparable low-exposure activities.	**Amendments to be made:** 4(11) Subclauses (3) and (6) do not apply to a person applying treated seed in ~~a glasshouse or greenhouse~~ **an indoor setting**.
Implementation and transitional arrangements	Support with amendment	International seed production, treatment, packaging and supply cycles require substantial advance planning. Short implementation periods could disrupt established seed supply, impose additional compliance costs and restrict access to essential seed varieties.	Extend each proposed implementation deadline by 12 months, allowing two years for reporting and three years for labelling requirements after the Group Standard comes into force. Establish a transitional notification pathway for existing treated-seed lines while importers obtain the information necessary for compliance.
Certified-handler and tracking requirements (Section 9.4, HSW Questions 2–5)	Seek clarification and proportionate requirements	The hazard classification of treated-seed coatings may differ significantly from that of concentrated treatment products due to dilution. Where coating classifications are unavailable, growers could face unnecessary certification, tracking and administrative costs.	EPA to work with WorkSafe to establish a practical method for determining seed-coating hazard classifications, with manufacturers or importers responsible for providing the necessary information. Certified-handler and tracking requirements should apply only where the coating meets the relevant hazard classification, with proportionate controls considered where legally permitted.

Appendix 2

SUBMISSION ON

Proposed Group Standard for Treated Seed

31 March 2025

To: Environmental Protection Authority
Name of Submitter: Horticulture New Zealand

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Horticulture™ New Zealand Ahumāra Kai Aotearoa

OVERVIEW

Submission structure

1. **Part 1:** HortNZ's Role
2. **Part 2:** Executive Summary
3. **Part 3:** Our Submission

Our submission

Horticulture New Zealand (HortNZ) thanks EPA for the opportunity to submit on "Proposed group standard for treated seed" and welcomes any opportunity to continue to work with EPA and to discuss our submission.

The details of HortNZ's submission and decisions we are seeking are set out in our submission below.

This submission is supported by:

Vegetables New Zealand

Tomatoes New Zealand

Onion New Zealand

Submission Form

What is your view on what is proposed in the application form?

The group standard is proposed based on overestimated risks from treated seed. The proposed group standard in its current form poses risks of over-regulation, restricting growers/farmers' access to some valuable but low risk treated seeds, hindering innovation and productivity.

The reasons for making our submission are:

The current proposed group standard will have adverse effects on vegetable growers without delivering commensurate environmental or health benefits.

I wish for the EPA to make the following decision:

Horticulture New Zealand urges the EPA to expand the scope of the proposed group standard to include imported seeds treated with active ingredients approved by EPA's recognised international regulators (Australia, Canada, the EU, the UK, and the USA).

All submissions are taken into account by the decision makers. In addition, please indicate whether or not you also wish to speak at a hearing if one is held.

☒ I wish to be heard in support of my submission (this means that you can present your submission to the DMC at the hearing but does not allow you to introduce new information at the hearing)

☐ I do not wish to be heard in support of my submission (this means that you cannot speak at the hearing)

If neither box is ticked, it will be assumed you do not want to appear at a hearing.

HortNZ's Role

Background to HortNZ

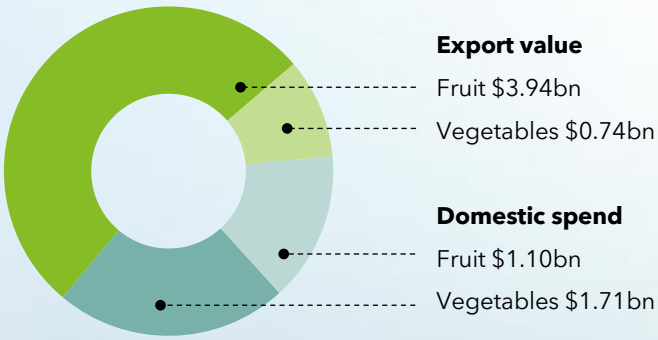
HortNZ represents the interests of approximately 4,200 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruits and vegetables. The horticultural sector provides over 40,000 jobs.

There are approximately 80,000 hectares of land in New Zealand producing fruit and vegetables for domestic consumers and supplying our global trading partners with high quality food.

It is not just the direct economic benefits associated with horticultural production that are important. Horticulture production provides a platform for long term prosperity for communities, supports the growth of knowledge-intensive agri-tech and suppliers along the supply chain; and plays a key role in helping to achieve New Zealand's climate change objectives.

The horticulture sector plays an important role in food security for New Zealanders. Over 80% of vegetables grown are for the domestic market and many varieties of fruits are grown to serve the domestic market.

HortNZ's purpose is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand.



Industry value $7.48bn

Total exports $4.67bn

Total domestic $2.81bn

Source: Stats NZ and MPI

HortNZ's involvement with crop protection regulation

On behalf of its grower members HortNZ works to help ensure that the regulatory settings and services that affect the availability and affordability of crop protection products in New Zealand are appropriate, workable, and cost-effective.



PART 2

Executive Summary

Horticulture New Zealand (HortNZ) appreciates the Environmental Protection Authority's (EPA) initiative to address potential risks associated with treated seeds. We generally welcome group standards as they improve efficiency and effectiveness for both the EPA and industry.

However, we have significant concerns that the proposed group standard for treated seed in its current form may introduce unnecessary regulatory burdens without delivering commensurate environmental or health benefits.

Our Key Concerns over the Current Form of the Proposed Group Standards are-

1. **Overestimation of Risks**: The EPA's assumptions regarding the risks associated with treated seeds, particularly imports, are not substantiated by empirical data. Currently, all active ingredients used to treat seeds by Seed and Grain NZ members are either approved by the EPA or EPA's recognised international regulatory bodies (Australia, Canada, the EU, the UK, and the US), which have rigorous assessment processes.
2. **Over-Regulation and Compliance Costs**: The proposed group standard duplicates existing regulatory frameworks such as HS Notices, WorkSafe and MPI-ACVM regulations. Regulatory duplication creates redundancy and confusion, and imposes unnecessary compliance costs on importers, growers, and researchers, which will disproportionately affect smaller-scale operators.
3. **Restricted Access to Treated Seeds**: The proposed group standard would limit the access of growers/farmers to valuable seed treated with active ingredients that are recognised as safe by trusted international regulators but have not gone through the approval process in New Zealand. This could have unintended consequences on productivity and hinder innovation.
4. **Misalignment with Government Policy**: The EPA's proposed group standard conflicts with the government's push to reduce regulatory burdens and boost innovation. Ministers have emphasized streamlining approvals and cutting red tape, yet the EPA's cost-benefit analysis overlooks the economic impact on growers, particularly smaller-scale operators. The risks of this are that innovation, productivity, and competitiveness could be adversely affected. Therefore, we urge EPA to align with government policy.
5. **Lack of Future-Proofing**: The proposed framework does not account for advancements in seed treatment technologies, potentially stifling innovation in sustainable agricultural practices.

Our Proposed Alternative Approach is –

HortNZ recommends expanding the scope of the proposed group standard to include imported seeds treated with active ingredients that have been approved by EPA-recognised international regulators. Because,

- This approach aligns with the Hazardous Substances and New Organisms (HSNO) Act 1996, particularly Part 6 Section 96A, ensuring that risks of group of hazardous substances (whether these are subject to Part 5 or **not**) that have similar circumstances of use can be effectively managed under the proposed regulatory conditions.
    - Active ingredients approved by EPA's trusted international regulators undergo stringent evaluations, ensuring their risks are low and manageable.

- The EPA proposed conditions are broad enough to mitigate potential risks, meaning they should apply equally to seeds treated with active ingredients that have been approved by EPA's recognised international regulators.

- This approach reduces administrative and assessment burdens on the EPA by leveraging existing international risk assessments. It will alleviate resource constraints, improve regulatory efficiency.
- As this approach aligns with multiple recommendations from the Ministry of Regulation's Agricultural and Horticultural Products Regulatory Review, adopting it would demonstrate that EPA is actively implementing those recommendations. The recommendations of most relevance are:
  - Recommendation 7 – EPA should maximise its use of risk assessments conducted by international regulators.
  - Recommendation 5 – EPA should increase the use and better design of group standards.
  - Recommendation 8 – EPA should prioritise engagement at an international level to support harmonisation of requirements.

HortNZ urges the EPA to refine the proposed group standard to prevent unnecessary regulatory duplication, unintended restrictions on trade, and NZ access to valuable seeds. By incorporating seeds treated with active ingredients that are approved by the EPA's recognised international regulators within the standard's scope, the EPA can uphold its commitment to effective risk management while supporting industry innovation, productivity, and competitiveness.

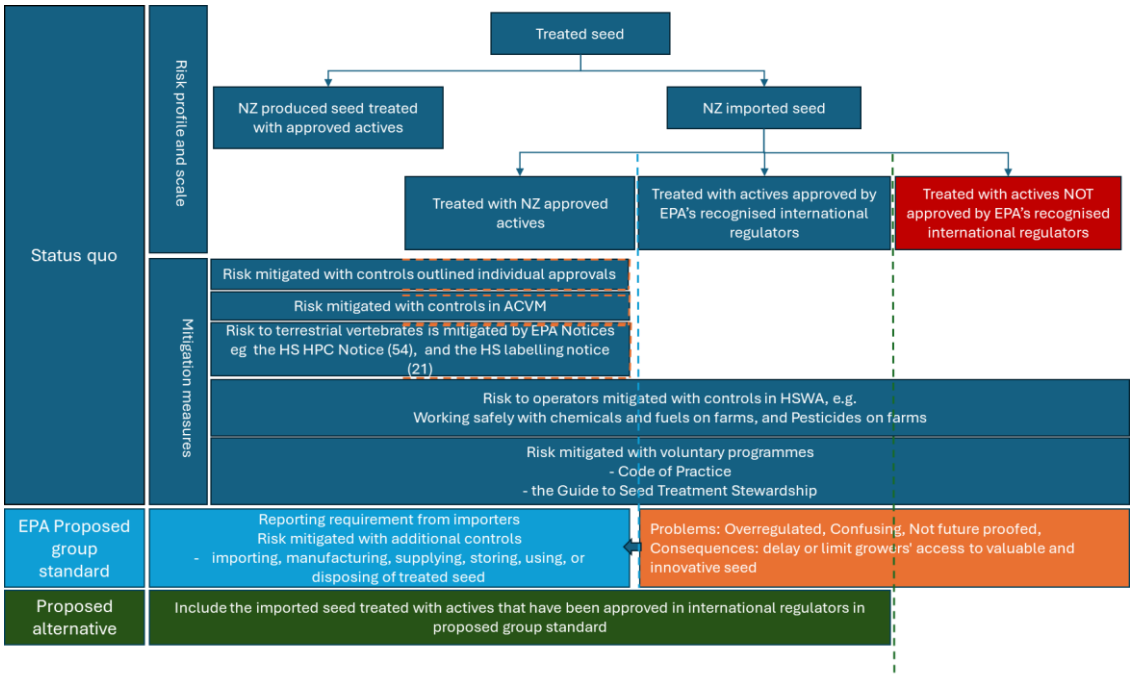


Figure 1. A diagram summarising HortNZ's status quo analysis, the EPA's proposed group standard problem identification and HortNZ's proposed alternative

PART 3

Submission

1. Introduction

HortNZ supports the development and implementation of group standards to improve efficiency and effectiveness of approval processes. We recognise the merit of having a group standard for treated seed, as the use of NZ's approved active ingredients for seed treatment will not have to go through individual assessment and approval process, which will improve efficiency to some extent.

However, we submit that the proposed group standard for treated seed in its current form would impose unnecessary regulatory burdens without commensurate environmental or human health benefits. Our analysis demonstrates that imported seed treated with active ingredients that have been assessed and approved by EPA's recognised international regulators (i.e., Australia, Canada, EU, UK and USA) should be included in the scope of EPA's proposed group standard. Because (1) they have the same circumstance of use as seeds manufactured domestically; and (2) any potential risks from these treated seeds can be effectively managed by the control conditions EPA are proposing

2. HortNZ has significant concerns about the proposed group standard in its current form

HortNZ could not find a convincing reasoning for proposing such a group standard **in its current form** for treated seed in the EPA's consultation paper. Instead, we found that the risks the proposed group standard seeks to mitigate are overestimated, the current mitigation measures are undervalued or are not recognised, EPA is not leveraging its trusted international regulators' assessment. As proposed, this group standard could result in overregulation, cause confusion, stifle innovation and trade, and restrain New Zealand's agricultural productivity.

2.1. Risks from treated seed are being overestimated

The EPA's assumption of significant risk from treated seeds (domestic and imported) does not align with empirical data. The consultation document does not quantify the risks from imported seeds. Based on data received from EPA's 2021/2022 call for information, the EPA should have provided a semi-quantified risk assessment for the proposed group standard.

HortNZ's analysis suggests that the EPA has overstated the risks associated with treated seeds. Based on feedback from Seed and Grain NZ (SGNZ) obtained during EPA's 2021/22 call for information, 24 active ingredients are used in seeds, both imported and domestically treated:

- Domestically treated seeds contain 20 active ingredients, all of which are approved in New Zealand and are regulated under HS Notices to mitigate any associated risks.
- Imported treated seeds contain 22 active ingredients:
    - Thirteen of these 22 active ingredients have already been approved in New Zealand and could be subject to risk mitigation through individual approvals and HS Notices.

- The remaining nine active ingredients, although not approved in New Zealand, have all been evaluated and approved by EPA's recognised international regulators (Australia, Canada, the EU, the UK, and the US). These regulatory bodies use advanced risk assessment models and have determined the risks to be low or acceptable and manageable[1].

No active ingredients used in treated seeds are unapproved by both NZ EPA and EPA's recognised international regulators. Therefore, the overall unmitigated risk from treated seeds is much lower than anticipated by the EPA. Analysing the risk profiles and scales of different seeds and seed treatment is critical to define the scope of this proposed group standard.

2.2. Detrimental impact of the proposed group standard in its current form on growers' access to treated seeds

Under the current scope of the proposed group standard, seeds treated with active ingredients that are approved by EPA's trusted international regulators but not yet approved in New Zealand will require a new Part 5 approval from the EPA prior to import or manufacture. Given the EPA's current significant backlogs of applications and lengthy approval timeframe, this will effectively prevent New Zealand growers/farmers from accessing these low-risk seeds. This in turn, risks putting our growers at a disadvantage in the global market.

The risks associated with importing seeds treated with active ingredients approved by EPA's recognised international regulators are low/acceptable. These regulators have established rigorous, science-based approval processes that often surpass New Zealand's in terms of resources, technical capacity, and access to the latest risk assessment models. The approval systems in Australia, Canada, the EU, the UK, and the USA involve comprehensive evaluations of human health, environmental impact, and efficacy, ensuring that the approved active ingredients meet high safety standards. Furthermore, the quantity of active ingredient used in seed treatment is typically very low. Unlike foliar sprays or soil-applied pesticides, seed treatments involve minimal exposure pathways, further reducing potential risks to people, animals, and the environment.

Identifying the treated seeds that will fall into this category and assessing their significance is essential to understanding the full impact of the proposed standard on the horticulture industry. The potential cost to the sector from losing access to these valuable seeds including the resultant crops should be carefully considered in the EPA's cost-benefit analysis, as this factor is currently missing. Also not considered in the cost-benefit analysis, is the increasing compliance costs for importers that will flow on to growers/farmers.

2.3. The proposed group standard in its current form is contrary to Government policy

As a Crown Agent, the EPA is required to give effect to Government policy. Agriculture Minister Todd McClay has made it clear that the government expects agencies to reduce regulatory burdens and accelerate innovation and productivity[2].

[1] Superfund Risk Assessment | US EPA
[2] Going for growth to boost farmer confidence | Beehive.govt.nz

Additionally, Regulation Minister David Seymour, Environment Minister Penny Simmonds, and Food Safety Minister Andrew Hoggard have recently endorsed the Ministry for Regulation's recommendations to cut red tape in the agriculture and horticulture sectors[3]. As currently written, this group standard would be misaligned with at least three of the Ministry for Regulations recommendations. Namely:

- Recommendation 7 - EPA should maximise its use of risk assessments conducted by international regulators.
- Recommendation 5 – EPA should increase the use and better design of group standards.
- Recommendation 8 – EPA should prioritise engagement at an international level to support harmonisation of requirements.

Despite these government expectations, EPA's cost-benefit analysis fails to account for the potential economic impact of the proposed group standard on growers and farmers—an essential consideration for ensuring alignment with government policy. Small-scale operators, such as vegetable seed importers, users, and R&D entities, would be disproportionately affected, potentially stifling innovation, productivity, and market competitiveness.

2.4.The proposed group standard in its current form lacks futureproofing

The proposed group standard does not account for advancements in seed treatment technologies, such as biodegradable coatings and precision application methods. A static regulatory framework risks becoming obsolete and discouraging innovation in sustainable and advanced seed treatment solutions. The EPA should consider mechanisms to accommodate emerging technologies within the group standard to ensure long-term relevance and effectiveness.

3. HortNZ proposes that the scope of this group standard is expanded

HortNZ recommends that the EPA expand the scope of the proposed group standard to **include seeds treated with active ingredients approved by EPA's recognised international regulators (Australia, Canada, the EU, the UK, and the USA).** This approach aligns with the statutory purpose of Part 6A Group Standard in the HSNO Act 1996, enhances regulatory efficiency and effectiveness, and maintains strong risk management practices. Given the rigorous approval processes of the EPA's recognised international regulators, the risks associated with these treated seeds are likely to be low/acceptable or manageable, and the current proposed conditions can effectively mitigate any potential concerns. Failing to expand the group standard's scope would only add unnecessary regulatory burdens, limiting industry access to essential seeds and ultimately disadvantaging New Zealand growers.

[3] Going for Growth: Multi-million dollar benefits possible for farmers and growers | Beehive.govt.nz

3.1. Inclusion of imported seeds treated with actives approved by EPA's Recognised International Regulators aligns with the purpose of Part 6A Group Standard in the HSNO Act 1996

The inclusion of this grouping of treated seeds aligns with the purpose of the Hazardous Substances and New Organisms (HSNO) Act 1996, particularly Part 6A, which governs group standards. Under Section 96A, substances without individual approvals (i.e., not subject to Part 5) may be included in a group standard as long as they have similar use, and the associated risks can be effectively managed through a single set of conditions.

Group standards exist to cover hazardous substances that share similar nature, type, or circumstances of use. Given that treated seeds—whether using New Zealand-approved active ingredients or those recognised by international regulators—fall into the same category of use, their risks can be managed under the same regulatory framework.

3.2. Risks (if any) from these imported treated seeds can be effectively managed by EPA's proposed conditions

The EPA's consultation document (Section 4.4) states that the proposed group standard conditions are broad enough to mitigate risks associated with different seed treatments throughout the treated seed life cycle. If this is the case, then there should be no reason why these same conditions could not apply to seeds treated with actives that have been approved by EPA's recognised international regulators.

The life cycle of imported treated seeds—whether treated with active ingredients approved by NZ EPA or those international regulators recognised by NZ EPA —remains the same. The conditions proposed in the group standard would apply equally to all treated seeds, ensuring that risks related to storage, transport, use, and disposal are effectively controlled. It is highly unlikely that there is valid reason why the existing conditions would be inadequate for managing the risks of internationally approved seed treatments while being sufficient for those approved by the NZ EPA.

3.3. Inclusion of these seeds would improve regulatory efficiency and effectiveness

We do not believe that the proposed group standard, in its current form, fully satisfies the statutory requirements of efficiency and effectiveness. The EPA has stated that the introduction of a group standard for treated seeds is intended to allow industry to introduce and amend plant protection products without needing to apply for new approvals on a case-by-case basis. However, the current proposal contradicts this intent by limiting the group standard's scope to seeds treated with active ingredients that already hold or would hold approval under Section 28A or Section 29 of the HSNO Act. This means that for any treated seed containing active ingredients not currently approved by the NZ EPA would still require a new Part 5 approval before importation or manufacture.

Processing Part 5 applications is both resource-intensive for the EPA and costly for applicants, as pointed out by EPA. Given that it is estimated that EPA's current backlog of

applications will take at least four years to clear, limiting the scope of this proposed group standard to substances that are already approved in New Zealand would impose additional administrative and processing burdens and delays. This could bring with it years of delays before New Zealand growers could access seeds treated with active ingredients internationally recognised as low/acceptable risk. This will reduce options for New Zealand growers/farmers and potentially put them at a trade disadvantage.

By allowing the inclusion of seeds treated with actives approved by EPA's recognised international regulators, the efficiency and effectiveness of the regulatory process would be significantly improved. The EPA would be able to streamline approvals, reducing its workload while maintaining robust risk management.

3.4. Inclusion of these seeds aligns with Government Policy

Cabinet has endorsed all 16 recommendations from the Agricultural and Horticultural Products Regulatory Review conducted by the Ministry for Regulation, including the use of international regulatory assessments to streamline approvals and reduce delays[4]. Allowing the inclusion of these seeds aligns with this approach, enabling farmers and growers to access innovative, high-value seed varieties that enhance productivity, support innovation, and strengthen market competitiveness. Ensuring timely access to these seeds is essential for maintaining a dynamic and globally competitive agricultural sector.

4. Specific Recommendations for the Proposed Group Standard

4.1. HortNZ proposes exemptions for low-risk scenarios

HortNZ requests that the EPA consider an exemption mechanism for low-risk imported seeds, such as vegetable seeds due to their low volume and controlled cultivation approach. This would allow for a more proportionate regulatory approach while still upholding food security, human health and environmental safeguards.

4.1.1. Controlled cultivation: reducing environmental risks from seed treatment substance in vegetable production

Additionally, vegetable cultivation inherently minimises environmental risks. Unlike other crops, most vegetable seeds such as broccoli, cauliflower, cucumber, capsicum, and tomato, are first germinated in controlled greenhouse environments before being transplanted into the field. Some vegetable species such as indoor tomatoes, capsicum and cucumber remain in controlled greenhouse environments throughout the entirety of their production cycle. This process significantly reduces the likelihood of unintended environmental impacts, such as risks to aquatic ecosystems, terrestrial vertebrates and terrestrial invertebrates.

4.1.2. Regulatory and market constraints on vegetable seed imports of small volume

In New Zealand, vegetable crops are classified as minor crops, and the volume of imported vegetable seeds is relatively small compared to grass and lawn seeds. Often

[4] Agricultural-Horticultural-Products-Regulatory-Review-full-report.pdf

local buyers receive a portion of larger, globally distributed seed batches that have already been treated and labelled to meet international requirements. Fortunately, importers have so far been able to secure access to these seeds for New Zealand growers. However, as a small market, any additional regulatory burden or unique regulatory compliance conditions may discourage importers from continuing to supply these seeds—particularly if compliance requires modifying labelling specifically for New Zealand. Given the narrow profit margins, such requirements may not be justifiable, leading importers to abandon these products altogether.

New Zealand is also a small market for agrichemicals, offering little incentive for manufacturers to develop and supply low-volume specialist treatments. The current approval process for new active ingredients is lengthy and complex, often deterring agrichemical companies from applying for approval to sell their products in New Zealand. If importers withdraw from the market, vegetable growers may lose access to these critical seed varieties and the resultant crops will not be available for domestic consumption. This could have significant implications for food security, as approximately 80% of New Zealand's vegetable production supplies the domestic market, providing fresh, healthy food for New Zealanders.

4.2. Proposed Changes to the Proposed Conditions

HortNZ initially intended to recommend that the EPA consolidate the proposed conditions into a single, comprehensive set of requirements for treated seed compliance. However, we recognise that this may not be feasible given the numerous EPA Hazardous Substances (HS) Notices need to be complied. Appendix Table 1 outlines our reasoning for suggested changes to the proposed conditions, primarily focusing on labelling. The key recommendations are:

- **Amendment of subclause (3) to state:**
  *"Clause **20**, 21, and **24** of the Hazardous Substances (Labelling) Notice 2017 do not apply to treated seeds covered by this group standard."*
    - Conditions (f) and (g) duplicate the requirements of Clause 20 of the Hazardous Substances (Labelling) Notice 2017.
    - Conditions (j) duplicate the requirements of Clause 24 of the Hazardous Substances (Labelling) Notice 2017.
- **Removal of the bee protection statement**
    - This condition is not relevant for seed applications as bees will not be coming into direct contact with the treated seeds. Furthermore, the very small volume of hazardous substance on a single seed and the long period of time before the germinated seed produces flowers, means that bees are extremely unlikely to be exposed to a hazardous substance arising from a treated seed.
- **Relocation of conditions (a, b, c, d, and i) to the "Restriction on Supply, Storage, and Use" section.**
    - These conditions pertain more to the operational aspects of seed storage and use.
    - They align with best practices already outlined in the *Stewardship Guide for Handling and Planting Treated Seed*.
    - This change would improve label readability for individuals with normal eyesight.

These adjustments aim to enhance clarity, reduce redundancy, and ensure practical implementation.

4.3. Comments on sample list of active ingredients falling within the proposed group standard scope

HortNZ recommends that the EPA establish a mechanism to easily and seamlessly expand the list of active ingredients falling within the proposed group standard scope. As this is only an initial list, many active ingredients will likely need to be added once the group standard is implemented.

Additionally, HortNZ suggests that the EPA include hazard classifications of the seed treatment substance in the sample list. This would enable importers to assign substances to the group standard, as they may not have the necessary expertise. This approach could be more effective than relying solely on training.

4.4. Comments on data reporting requirements

HortNZ believes that seed importation data is likely recorded by MPI and/or Customs. We recommend that the EPA engage with these agencies to understand what seed importation data is available, helping to avoid duplication of efforts and unnecessary burdens on importers.

After consulting with MPI and/or Customs, if gaps in data collection are identified and a reporting requirement for importers is deemed necessary to mitigate risks, we suggest that the EPA develop a streamlined data reporting platform. This platform should facilitate easy data collection while ensuring that the collected data is structured for efficient analysis.

Table 1. Suggested changes to the proposed conditions.

Proposed conditions	Comments
(3) Clause 21 of the Hazardous Substances (Labelling) Notice 2017 does not apply to treated seeds covered by this group standard.	Suggested change: Clause **20**, 21, and **24** of the Hazardous Substances (Labelling) Notice 2017 does not apply to treated seeds covered by this group standard
(a) "Appropriate personal protection equipment shall be used when handling seeds treated with this substance." (b) "When opening seed bags and during filling or emptying of the planter/drill, avoid dust exposure". (c) "Avoid transfer of dust from the seed bag into the planter/drill". (d) "Seed planter/drill equipment shall ensure a high degree of incorporation in soil, minimisation of spillage, and minimisation of dust emission."	In Stewardship Guide Repeated in the "Restriction on supply, storage and use" (3) (b). These are more related to use of the seed, suggested to move these to "Restriction on supply, storage and use" section, rather than in labelling. This will also increase the label readability.
(e) "Sow at or below the recommended application rate".	HPC Notice 2017 Clause 50
(f) "Do not apply directly into or onto water". (g) "Take all reasonable steps to ensure that the substance does not cause any significant adverse effects to the environment beyond the application area."	The Hazardous Substances (Labelling) Notice 2017 clause 20 (2) Clause 20 do not apply to group standard?
(h) "Ensure any seeds are not accessible to birds at any time unless preventive or deterrent measures are used". (i) "Not to be used for human or animal consumption".	The Hazardous Substances (Labelling) Notice 2017 clause 21 (2)
(j) "Do not apply substance to an application plot if– (i) Bees are foraging in the application plot; or (ii) The plants surrounding the application area, that may be contaminated by the application of the treated seed, are in flower or part flower, and are being (or likely to be)	The Hazardous Substances (Labelling) Notice 2017 clause 24 This does not apply to seeds, suggested to be removed. Clause 24 do not apply to group standard?

visited by non-target invertebrate pollinators (including bees)."	
(k) "Do not leave empty bags or left-over treated seed in the environment". (l) "Ensure that left over treated seeds are returned to their original bags. Do not use empty seed bags for other purposes".	Stewardship Guide These are more related to use of the seed, suggested to move these to "Restriction on supply, storage and use" section, rather than sitting in labelling. This will also increase the label readability.