



Office of Hon David Parker
Minister of Energy
Minister Responsible for Climate Change Issues
Minister for Land Information

ENV 780

31 OCT 2007

Jean Anderson
Secretary
Physicians and Scientists for Responsible Genetics
roberta@clear.net.nz

Dear Jean Anderson

Thank you for your letter of 3 October 2007 to the Prime Minister concerning nanotechnology. I am replying on her behalf as the regulation of nanotechnology falls within my portfolio as Acting Minister for the Environment.

The New Zealand government is aware of the issues you have raised about nanotechnology, particularly the environment, health and safety issues associated with manufactured nanomaterials. Like many governments around the world, we are working to ensure that any risks associated with these new materials are properly understood and appropriately managed.

New Zealand is actively participating in an OECD Working Party on Manufactured Nanomaterials (WPMN). This working party has been established to address human health and environmental safety aspects of manufactured nanomaterials. The WPMN is playing a major part in promoting international co-operation in health and environmental safety related aspects of manufactured nanomaterials.

The regulation of nanomaterials is a global issue and New Zealand will continue to be involved in developing an international consensus on risk assessment methodology and techniques for manufactured nanomaterials. New Zealand will adopt these international recommendations and integrate them within our own regulatory systems.

It has been established that if a nanomaterial has a known hazard or risk, there are regulatory systems in place in New Zealand that can regulate, eliminate or manage this hazard or risk. Depending on the circumstances of how the nanomaterials are used, or pose a threat, a nanomaterial would be regulated under the:

- Hazardous Substances and New Organisms (HSNO) Act 1996 by the Environmental Risk Management Authority (ERMA) New Zealand;
- Health and Safety in Employment (HSE) Act 1992, by the Department of Labour;
- Food Act 1981, via the NZ (Maximum Residue Limits of Agricultural Compounds) Food Standards Code 2007, and the Australia New Zealand Food Standards Code, by the NZ Food Safety Authority.

The legislation in these Acts is sufficiently broad enough to include manufactured nanomaterials and covers the majority of the potential exposure pathways of manufactured nanomaterials.

The government has adopted some interim measures to control nanomaterials in New Zealand. Cosmetics containing nanoparticles (other than zinc oxide or titanium dioxide) must be notified to ERMA New Zealand as a condition of the Cosmetic Products Group Standard. The purpose of this provision is to provide information to inform technical review of such substances in the future, so that if necessary, the group standard can be amended to put in place controls relating to such substances.

The Ministry of Research, Science and Technology (MoRST) has published a "Nanoscience & Nanotechnologies Roadmap" stating that the government will ensure that research programs take account of developing New Zealand capabilities for risk assessment of manufactured nanomaterials.

The risks of exposure to nanomaterials as a result of disposing or recycling products containing nanomaterials, particularly in electronic waste, is being addressed through various waste initiatives at the Ministry for the Environment. In particular, product stewardship schemes for electronic waste will encourage potentially hazardous materials to be disposed of or recycled in a controlled environment.

While nanotechnology offers a wide range of economic and environmental benefits, the government recognises the potential for manufactured nanomaterials to have environmental, health and safety effects. New Zealand regulatory agencies will continue to assess how the novel properties associated with manufactured nanomaterials will influence their assessments and decisions and the New Zealand government will continue to support and engage with international initiatives to coordinate nanotechnology policy developments.

Thank you for raising these issues with the Prime Minister and Members of Parliament.

Yours sincerely

A handwritten signature in black ink, appearing to read "David Parker". The signature is fluid and cursive, written in a professional style.

Hon David Parker
Acting Minister for the Environment