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## • Proposed New European Pesticides Regulation

The new legislation proposes that highly toxic chemicals and substances that are carcinogenic, toxic to reproduction or causing mutations will not be approved unless the use pattern results in negligible exposure. Chemicals that adversely effect development, are toxic to the immune system and contain endocrine disrupting chemicals will be banned if they pose a significant risk. Some of the criteria for defining these pesticide substances are not as yet precisely defined. For example, comprehensive criteria for endocrine disruption are yet to be developed.

Once in place the new legislation will apply to all new pesticide substances. However for existing pesticides the impact of the new regulations will be a gradual process.

If the evaluation of a pesticide substance deems that it does not meet the new safety criteria but the pesticide is crucial for the protection of plant health, the legislation includes provisions that allow for approval for up to five years (with five-year renewals). Products containing certain hazardous substances are to be replaced with a three year deadline if safer alternatives are shown to exist.

For a European overview of the legislative process see Pesticides Legislation: The Final Lap, at [www.europarl.europa.eu/news/expert/background\\_page/064-45653-012-01-03-911-20090108BKG45652-12-01-2009-2009-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/background_page/064-45653-012-01-03-911-20090108BKG45652-12-01-2009-2009-false/default_en.htm) an information sheet provided by the European Parliament.

When the APVMA is conducting an existing chemical review or deciding to commence a review of an existing chemical the APVMA takes into account relevant international regulatory activities and reports. The APVMA engages with the European regulators through the OECD & other forums.

See the preliminary assessment of the Swedish Regulator at: [www.kemi.se/upload/Bekampningsmedel/Docs\\_eng/SE\\_positionpaper\\_annenll\\_sep08.pdf](http://www.kemi.se/upload/Bekampningsmedel/Docs_eng/SE_positionpaper_annenll_sep08.pdf) (14 pages) as an example of the assessments being undertaken by individual European countries.

From: [www.apvma.gov.au/new/pesticides\\_reg.shtml](http://www.apvma.gov.au/new/pesticides_reg.shtml)

## Hazmat & Environment Notes

are prepared by:

Jeff Simpson

Hazardous Materials Consultant  
Editor & Publisher

My approach is to provide a short, succinct note on each hazardous material issue, sufficient to allow you to make a decision of whether it is relevant to you. If you need more information contact details / website / etc are provided.

I encourage all readers to make comment on draft regulations, codes and standards.

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## Hazardous Substances

### • ECHA Harmonising Classification and Labelling

The EU Classification, Labelling and Packaging (CLP) Regulation will gradually replace the Dangerous Substances Directive (67/548/EEC) and Dangerous Preparations Directive (1999/45/EC). Both Directives will be repealed by 1 June 2015.

There are 2 substances for comment until the 9<sup>th</sup> April 09.

**Epoxiconazole** – a fungicide. Dossier at:

[http://echa.europa.eu/doc/consultations/cl/clh\\_axvrep\\_swe\\_den\\_epoxiconazole.pdf](http://echa.europa.eu/doc/consultations/cl/clh_axvrep_swe_den_epoxiconazole.pdf)

**Diantimony Trioxide** – a flame retardant; a glass additive; and is used in pigments and paints. Dossier at:

[http://echa.europa.eu/doc/consultations/cl/clh\\_axvrep\\_swe\\_den\\_diantimony\\_trioxide.pdf](http://echa.europa.eu/doc/consultations/cl/clh_axvrep_swe_den_diantimony_trioxide.pdf)

From: [http://echa.europa.eu/consultations/harmonised\\_cl\\_en.asp](http://echa.europa.eu/consultations/harmonised_cl_en.asp)

*Editor's Comment: This is a new source of information that the EU ECHA want comment on, which will help us all better understand the subtleties of classification to the GHS of pure substances.*

### • Formaldehyde: Cabinet Makers & Construction Workers

Cabinet Makers and Construction Workers: Formaldehyde Exposures from Pressed Wood Products. A report by NICNAS concluded that occupational exposures to formaldehyde from pressed wood products can cause health concerns. This 3 page Safety Information Sheet No. 30 discusses the issues.

From: [www.nicnas.gov.au/Publications/Information\\_Sheets/Safety\\_Information\\_Sheets/SIS\\_30\\_Formaldehyde\\_Cabinet\\_PDF.pdf](http://www.nicnas.gov.au/Publications/Information_Sheets/Safety_Information_Sheets/SIS_30_Formaldehyde_Cabinet_PDF.pdf)

### • Triclosan Priority Existing Chemical Report

From the PEC 30 Report there are no direct health effects of concern.

Triclosan as the 100% powder is advised to be classified as:

R23 Toxic by inhalation  
R36 Irritating to eyes  
R37 Irritating to respiratory system  
R38 Irritating to skin

However for Impurities "for Australia to meet its obligations under the Stockholm Convention for POPs, the levels of Dioxins and Dibenzofurans in Triclosan imported into Australia should be kept as low as possible."

Also there are environmental effects of concern where further studies are recommended.

I have extracted some of the environmental effects of concern from the PEC 30 Overview.

"In the aquatic compartment, Triclosan is highly to very highly toxic to a number of freshwater aquatic organisms such as fish, plants and invertebrates. From the limited data available, freshwater algae are the most sensitive species. Algae form an important food source for numerous other organisms. In both acute and chronic tests with freshwater invertebrates, Triclosan is much more toxic to freshwater invertebrates in neutral or acidic waters than in alkaline waters. Consequently, because the tests on algae were performed under alkaline pH conditions, the toxicity values for algae may under-estimate algal toxicity through the full environmental pH range."

"Both Triclosan and a minor metabolite (methyl Triclosan) have a high potential to bioaccumulate in aquatic organisms. Bioaccumulation potential is also evident from laboratory-scale bioconcentration factor (BCF) studies and field monitoring studies."

"The use of Triclosan and subsequent release to the Australian sewage system, at current levels of use, may be likely to result in concentrations of the chemical within natural waterways which may pose risks to algae, aquatic plants and fish at all levels of wastewater treatment. As dilution is high in ocean outfalls, risks to marine species are considered to be low and at an acceptable level."

"The continual application of Triclosan to soil through use of biosolids (as soil conditioners) or effluent (for irrigation) from STPs also has the potential to disrupt microbial soil populations, but it does not appear to affect soil respiration or nitrification."

The publication of this Report revokes the declaration of the chemical listed below as a priority existing chemical under section 62 of the Act.

From: [www.nicnas.gov.au/Publications/CAR/PEC/PEC30.asp](http://www.nicnas.gov.au/Publications/CAR/PEC/PEC30.asp)

### • 1,4-Butanediol - Existing Chemical Info Sheet

Concerns regarding the toxicity of 1,4-Butanediol have been raised with NICNAS through public enquiries and the media after the hospitalisation of children who ingested toy beads that were found to contain 1,4-Butanediol.

**Summary of Key Health Issues:** Overall, there are no data in the OECD report and subsequent published studies on 1,4-Butanediol to indicate 1,4-Butanediol to be a skin sensitiser, genotoxic, carcinogenic, or a reproductive toxicant. The toxicity of 1,4-Butanediol appears to be restricted to acute toxicity and slight skin, eye and respiratory tract irritation.

1,4-Butanediol is considered to be moderately toxic by the oral route. In rats and mice, reported values are in the range of 1525-1830 mg/kg bw and 2060 mg/kg bw respectively.

From repeated dose studies, it is evident that the most sensitive adverse effect is neurotoxicity. Central nervous system disturbances including decreased alertness, dizziness and respiratory depression have been reported following oral dosing at 25 mg/kg bw. Overall, the short duration and nature of the available studies does not allow for the identification of a robust dose-response and NOAEL.

From: [www.nicnas.gov.au/Publications/Information\\_Sheets/Existing\\_Chemicals\\_Information\\_Sheets.asp](http://www.nicnas.gov.au/Publications/Information_Sheets/Existing_Chemicals_Information_Sheets.asp)

### • Occupational Asthma is an Allergic Reaction

That can occur in some people when they are exposed to substances in the workplace.

These substances are called 'respiratory sensitisers' or asthmagens. They can cause a change in people's airways, known as bronchial hyperreactivity or twitchy airways.

Not everyone who is exposed to a sensitiser becomes sensitised and develops asthma. But once the lungs become hypersensitive, further exposure to the substance, even at quite low levels, may trigger an attack. This can happen to you even if you have worked without any problems for many years.

Get more information from Qld Safe Summer 2009 newsletter.

From: [www.deir.qld.gov.au/pdf/whs/safe\\_summer\\_09.pdf](http://www.deir.qld.gov.au/pdf/whs/safe_summer_09.pdf)

## Chemical Management

### • Hazardous Substances Information System Update

In March the ASCC informed that they would begin updating the Hazardous Substances Information System (HSIS) online database to include information to reflect changes in Europe's 30th Adaptation to Technical Progress to Directive 67/548/EEC.

The update comprises of a total of **956** entries of which there are **568** amendments to existing entries, **385** new entries and **3** deletions. Also, the HSIS Guidance Material for Hazard Classifications has been updated to reflect amendments to Notes H, J and P in the labelling column.

It is anticipated all changes will be finalised by mid 2009.

A full list of the schedule of changes for the HSIS online database update can be found at <http://hsis.ascc.gov.au/ImportantUpdate.aspx>, as 3 files: Amendments; Insertions and Deletions.

From: [www.ascc.gov.au/ascc/HealthSafety/HazardousSubstances/HSIS/](http://www.ascc.gov.au/ascc/HealthSafety/HazardousSubstances/HSIS/)

### • Draft National Standard: Hazardous Chemicals

The process to move towards the Workplace Hazardous Chemicals Framework, that brings together health effect Hazardous Substances and Dangerous Goods (including environmentally hazardous DGs) using the Australian version of the GHS Classification criteria, was effectively progressed at a meeting on the Draft National Standard in February 2009. The meeting was co-ordinated by Ms Caroline Reid, Director, Chemicals, who joined the Office of the ASCC at the start of December 2008, where she brought together key authority Occupational Hygienists and Dangerous Goods Specialists plus Industry, and the Unions, which I was invited to attend. (Some of you may remember Caroline from her DOTARS role supporting Australia's attendance at the UN Dangerous Goods meetings in the 1990s).

In the second half of 2009 I expect to see more documents come back out for public review, in particular the Australian GHS Classification Criteria and any Australian Only Criteria (such as Combustible Liquids with 60-150°C flashpoints).

Reported by Jeff Simpson, Haztech Environmental

### • EU REACH – ECHA Newsletters

Keep current with the EU Registration Evaluation & Authorisation of Chemicals (REACH) activities from the European Chemicals Agency.

Latest newsletter: [http://echa.europa.eu/doc/press/newsletter/echa\\_newsletter\\_2009\\_02\\_11.pdf](http://echa.europa.eu/doc/press/newsletter/echa_newsletter_2009_02_11.pdf)

From: [http://echa.europa.eu/publications\\_en.asp](http://echa.europa.eu/publications_en.asp)

Michael Siebold, Merck presents on REACH at HazMat 2009

### • NICNAS Nanotechnology Advisory Group

Formed in 2008, the NAG has members drawn from industry, community, academia and NICNAS. The NAG was convened following consultation with the Community Engagement Forum (CEF) and Industry Government Consultative Committee (IGCC).

Members: [www.nicnas.gov.au/Current\\_Issues/Nanotechnology/Nanotechnology\\_Advisory\\_Group.asp#members](http://www.nicnas.gov.au/Current_Issues/Nanotechnology/Nanotechnology_Advisory_Group.asp#members).

Terms of Reference: In light of the current state of knowledge on the health, safety and environmental impacts of nanomaterials, the Advisory Group will:

- consider the implications of the potential impact of nanomaterials on public health, workers and the environment;
- consider the implications of nanomaterials for the regulation of industrial chemicals in Australia; and
- advise the Director on measures that NICNAS can take to address these implications.

For information contact the NAG Committee Secretariat [NAG@nicnas.gov.au](mailto:NAG@nicnas.gov.au), or ph: 02-8577-8800.

From: [www.nicnas.gov.au/Current\\_Issues/Nanotechnology/Nanotechnology\\_Advisory\\_Group.asp](http://www.nicnas.gov.au/Current_Issues/Nanotechnology/Nanotechnology_Advisory_Group.asp)

### • Assessment of Plant Safety Requirements

The Australian Safety and Compensation Council (ASCC) announced in February 2009 a three month public comment period for a 129 page discussion paper on Safety Requirements for the Design, Manufacture & Conformity Assessment of Plant which proposes strategies to address issues associated with the design & manufacture of plant.

Paper: [www.ascc.gov.au/NR/rdonlyres/8F2ABEF0-6FE8-40B6-AFF3-FEC515A69275/0/Discussion\\_paper\\_plant.pdf](http://www.ascc.gov.au/NR/rdonlyres/8F2ABEF0-6FE8-40B6-AFF3-FEC515A69275/0/Discussion_paper_plant.pdf).

This public comment process is targeted at designers, manufacturers, suppliers and importers of plant, with the discussion paper supported by two documents; *Attachment A – Essential Safety Outcomes for Plant* and *Attachment B – Draft Regulatory Impact Statement (RIS)*.

Contact: 02-6121-9213 or 02-6240 6997. Comment by 15 May 2009 to email: [PlantandLicensing@deewr.gov.au](mailto:PlantandLicensing@deewr.gov.au)

From: [www.ascc.gov.au/ascc/AboutUs/PublicComment/OpinionComment/SafetyRequirementsfortheDesignManufactureandConformityAssessmentofPlant.htm](http://www.ascc.gov.au/ascc/AboutUs/PublicComment/OpinionComment/SafetyRequirementsfortheDesignManufactureandConformityAssessmentofPlant.htm) and

[www.ascc.gov.au/ascc/NewsEvents/MediaReleases/11February2009MediaRelease.htm](http://www.ascc.gov.au/ascc/NewsEvents/MediaReleases/11February2009MediaRelease.htm)

### • Amendments to the NZ Cosmetic Products Grp Std

Consultation. The list in the Proposed Changes document that got my attention is the Changes to Schedule 4: Components. Cosmetic Products must **not contain the listed chemicals**. This list is closely related to the same ingredients of concern on the EU REACH process.

Submissions must be received by 5 pm, Thursday 14th May 2009. For queries on this amendment to the Cosmetic Products Group Standard, contact Tonderai Kaitano ph: +64-4-918-4877, email: [tonderai.kaitano@ermanz.govt.nz](mailto:tonderai.kaitano@ermanz.govt.nz).

From: [www.ermanz.govt.nz/consultations/amendcos.html](http://www.ermanz.govt.nz/consultations/amendcos.html) & [www.ermanz.govt.nz/consultations/Appendix%201%20to%20CPGS%20Consultation%20Document%20FINAL%20Version%20\\_2009.03.26\\_.pdf](http://www.ermanz.govt.nz/consultations/Appendix%201%20to%20CPGS%20Consultation%20Document%20FINAL%20Version%20_2009.03.26_.pdf)

### • Safe Work Australia to Replace the ASCC

A key outcome from the Workplace Relations Ministerial Council Meeting on the 12<sup>th</sup> Feb 2009 was a decision to establish Safe Work Australia as an Executive Agency prescribed under the Financial Management and Accountability Act 1997. This follows the withdrawal of the Safe Work Australia Bill 2008 from the Parliament.

The establishment of Safe Work Australia administratively was considered necessary to ensure the timetable for OHS

harmonisation determined by the Council of Australian Governments was not further jeopardised.

Ministers agreed further examination of both Review reports was required before any decisions on model OHS laws could be made. The reports are available at: [www.nationalohsreview.gov.au/ohs/Reports](http://www.nationalohsreview.gov.au/ohs/Reports)

From: [www.deewr.gov.au/Ministers/Gillard/Media/Releases/Pages/Article\\_090213\\_175125.aspx](http://www.deewr.gov.au/Ministers/Gillard/Media/Releases/Pages/Article_090213_175125.aspx) and the [www.ascc.gov.au/ascc/AboutUs/NationalOHSFramework/](http://www.ascc.gov.au/ascc/AboutUs/NationalOHSFramework/)

## NICNAS (Industrial Chemicals)

### • PFOS & PFAS NICNAS Alert No.8 – Jan 2009

*This Alert updates NICNAS Alert No. 5 and should be read in conjunction with Alerts 2 and 5. Go to: [www.nicnas.gov.au/Publications/NICNAS\\_Alerts.asp](http://www.nicnas.gov.au/Publications/NICNAS_Alerts.asp)*

Perfluorooctane sulfonate (PFOS) refers to fully fluorinated (eight-carbon chain length) Sulfonate-containing substances. PFOS is a member of a large family of PerFluoroAlkyl Sulfonate (PFAS) based chemicals. PFAS is a generic term used to describe any fully Fluorinated Carbon chain length Sulfonate, including higher and lower homologues. PFAS-related substances may be salts of PFAS, or polymers that contain the PFAS as a portion of the entire polymer.

PFOS and PFAS chemicals have unique surfactant properties and many specialty applications including heat, chemical and abrasion resistance, and as dispersion, wetting and surface treatments.

It is likely that some importers and users may not know if their products contain PFOS- and PFAS-based chemical ingredients because these chemicals may not be disclosed or listed on Material Safety Data Sheets (MSDSs).

Because of concerns over PFOS and certain perfluorinated chemicals, NICNAS makes 6 recommendations in Alert No. 8.

For information on PFOS & PFAS substances in Australia, contact NICNAS ph: 1800-638-528.

From: [www.nicnas.gov.au/Publications/NICNAS\\_Alerts/EC\\_Alert8.pdf](http://www.nicnas.gov.au/Publications/NICNAS_Alerts/EC_Alert8.pdf)

### • Provision of Chemical Identity Information

Clarification on the NICNAS Approach to Provision of Chemical Identity Information for New Industrial Chemicals Notifications.

Schedule B states that the notifier of a new industrial chemical should provide: *“the name to be used in the Australian Inventory of Chemical Substances, that is, the **Chemical Abstracts (CA) preferred Index Name**, or, if such a name is not available, the name for it to be used by the International Union for Pure and Applied Chemistry (IUPAC).”*

Historically, some new chemicals applications have been submitted without sufficient chemical identity information, which often causes delays in the assessment processes. The approach outlined is to help ensure that the procedures for new chemicals assessments are streamlined in the future.

This issue is of particular significance for self-assessment applications, polymer and UVCB assessments, where the avenues for confirmation of chemical identity are somewhat limited, and/or the chemical is relatively complex in nature.

For further information contact Rebecca Janson (Notification & Assessment) ph: 02-8577-8872, email: [rebecca.janson@nicnas.gov.au](mailto:rebecca.janson@nicnas.gov.au).

From: [www.nicnas.gov.au/Publications/Chemical\\_Gazette/pdf/2009feb\\_whole.pdf](http://www.nicnas.gov.au/Publications/Chemical_Gazette/pdf/2009feb_whole.pdf)

### • Introduction of New Nanomaterials via NICNAS

The exemption categories require the introducer to determine that the introduction of the chemical meets certain criteria.

For example the introduction of a new chemical under the low volume exemption categories (chemicals introduced in quantities less than 100 kg) requires that the introduction of the chemical pose no unreasonable risk to occupational health and safety, public health or the environment.

NICNAS is currently reviewing its legislative and administrative processes to ensure that the health and safety aspects of the introduction of new nanomaterials are addressed through a risk-based regulatory approach.

In the interim if companies wish to introduce new nanomaterials under any of the exemption categories they should first seek advice from NICNAS to ensure that the exemption category is appropriate for their new nanomaterials

From: [www.nicnas.gov.au/Publications/Chemical\\_Gazette/pdf/2009feb\\_whole.pdf](http://www.nicnas.gov.au/Publications/Chemical_Gazette/pdf/2009feb_whole.pdf)

NICNAS is currently consulting with the NICNAS Nanotechnology Advisory Group on regulatory approaches for nanomaterials. For information, contact Dr [Matthew.Gredley@nicnas.gov.au](mailto:Matthew.Gredley@nicnas.gov.au).

From: [www.nicnas.gov.au/Publications/NICNAS\\_Matters/NICNAS\\_Matters\\_MAR09\\_PDF.pdf](http://www.nicnas.gov.au/Publications/NICNAS_Matters/NICNAS_Matters_MAR09_PDF.pdf)

### • Government’s NICNAS Reform Agenda

These NICNAS reform agenda is discussed on pages 8 & p9 of NICNAS Matters March 2009 edition.

NICNAS has responsibility for implementing 4 of the 18 “early harvest reforms” by COAG. At February 2009, two of these reforms are complete and the others in progress. Details are in the article. Also a summary of Recommendations 4.1 to 4.6 plus 5.4 and 5.5 from the [Productivity Commission Research Report into Chemicals and Plastics Regulation](#) is given on page 9.

From: [www.nicnas.gov.au/Publications/NICNAS\\_Matters/NICNAS\\_Matters\\_MAR09\\_PDF.pdf](http://www.nicnas.gov.au/Publications/NICNAS_Matters/NICNAS_Matters_MAR09_PDF.pdf)

### • Low Regulatory Concern Chemical Reform Initiatives

A number of these LRCC reform initiatives were implemented in 2004-05, and **are now being evaluated by an independent consultant** commissioned by NICNAS, to determine their effectiveness and their impact on all stakeholders. The specific reform initiatives that will be included in this evaluation are:

- Audited self-assessment of polymers of low concern and non-hazardous chemicals
- Increased exemptions for low volume, trans-shipment, cosmetic & research & development/analytical chemicals
- Administrative renewals for Low Volume Chemical and Commercial Evaluation permits
- Mandatory registration for Tier 1 companies
- Improved access to chemical safety information, including the Australian Inventory of Chemical Substances (AICS) online

- Option for early listing of notified chemicals on the AICS

An industry-wide online survey will be conducted in late March-early April. A draft report will be published in June 2009 at which time there will be an opportunity for industry and the community to provide feedback on the findings.

For information contact Dr Sarah Rumble ph: 02-8577-8832, or email: [Sarah.Rumble@nicnas.gov.au](mailto:Sarah.Rumble@nicnas.gov.au).

From: [www.nicnas.gov.au/Publications/Chemical\\_Gazette/Chemical\\_Gazette\\_March\\_2009.asp](http://www.nicnas.gov.au/Publications/Chemical_Gazette/Chemical_Gazette_March_2009.asp)

## • NICNAS & US EPA Chemical Assessment Agreement

In December 2008 a framework to work with the **United States Environmental Protection Agency Office of Pollution Prevention & Toxics (US EPA OPPT)** in the area of Chemical Assessment and Management was established.

The new agreement provides for collaboration and cooperation on industrial chemical assessment and management activities such as exchanges of health and safety data, chemical assessments and expertise. It is similar to – but more expansive than – an agreement NICNAS has with **Environment Canada** and **Health Canada**, in that it covers both new and existing industrial chemicals, assessment methodologies and nano-technology efforts.

It will enable NICNAS to explore opportunities for the feasibility of information exchange for notifications of new industrial chemicals; and also to take advantage of opportunities and linkages between the Australian Existing Chemicals Review Program for industrial chemicals and the US Chemical Assessment & Management Program currently under way.

To read the agreement go to:

[www.nicnas.gov.au/International/US%20Australia%20Cooperative%20Agreement%20122008.pdf](http://www.nicnas.gov.au/International/US%20Australia%20Cooperative%20Agreement%20122008.pdf)

From: [www.nicnas.gov.au/Publications/NICNAS\\_Matters.asp](http://www.nicnas.gov.au/Publications/NICNAS_Matters.asp) & [www.nicnas.gov.au/Publications/NICNAS\\_Matters/NICNAS\\_Matters\\_MAR09\\_PDF.pdf](http://www.nicnas.gov.au/Publications/NICNAS_Matters/NICNAS_Matters_MAR09_PDF.pdf)

## • Polymer Characteristics and Hazard Concerns

Data Analysis of the Identification of Correlations Between Polymer Characteristics and Potential for Health or Ecotoxicological Concern.

41 page report from the Environment Directorate, ORGANISATION for ECONOMIC CO-OPERATION and DEVELOPMENT, Paris 2009.

Data for 205 polymers were collated from Australia, Canada, Japan, Korea and US. Countries classified the polymers under two categories (PLCs and non-PLCs) using the US EPA criteria. The analysis was aimed at identifying correlations between polymer characteristics and potential for health or ecotoxicological concern.

One of the most striking findings related to the **number-average molecular weight (Mn)** of a polymer; the lower the Mn, the higher the potential for health or ecotoxicological concern.

Similar results were obtained when the contents of low molecular weight, **oligomeric species** were investigated – the higher the content, the more likely a polymer was to display concern.

**Reactive functional groups** were more often seen in potential health and ecotoxicological concern polymers than amongst the low health concern polymers, but the level of data available was insufficient to confidently analyse any specific reactive functional groups. No

confident trends were observed between the **functional group equivalent weight (FGEW)** of a polymer and its potential for concern. However, there was some suggestion that higher concern polymers had lower FGEWs than low concern polymers.

**Overall, this initial analysis has provided scientific evidence that builds confidence in the PLC criteria** (where sufficient data were available).

From: [www.oecd.org/dataoecd/3/23/42081261.pdf](http://www.oecd.org/dataoecd/3/23/42081261.pdf).

Advised by [www.nicnas.gov.au/Publications/NICNAS\\_Matters/NICNAS\\_Matters\\_MAR09\\_PDF.pdf](http://www.nicnas.gov.au/Publications/NICNAS_Matters/NICNAS_Matters_MAR09_PDF.pdf)

## • NICNAS Community Engagement Bulletin: Nov 08

Topics include:

[Nanotechnology update](#)

[Senator Jan McLucas meets with CEF](#)

[Adverse Event Reporting](#): NICNAS recently sought tenders from a select group of potential contractors for an information-gathering consultancy to "identify, review and describe data collection systems in place in Australia (by other authorities and groups) and in other countries". It will also identify what type of data is likely to be adequate for NICNAS's needs, and identify data access mechanisms, including potential hindrances to access. It is envisaged that the information-gathering consultancy will finish in late February 2009.

[Community Engagement Framework](#): If you would like to be added to the NICNAS Stakeholder Engagement List please send an email to the [NICNAS communication team](mailto:NICNAS_communication_team@nicnas.gov.au) via [John.Sawkins@nicnas.gov.au](mailto:John.Sawkins@nicnas.gov.au)

[Multiple Chemical Sensitivity](#): To access the report, [A Scientific Review of Multiple Chemical Sensitivity: Identifying Key Research Needs](#), and the NICNAS [MCS Information Sheet](#), go to: [www.nicnas.gov.au/Current\\_Issues/MCS.asp](http://www.nicnas.gov.au/Current_Issues/MCS.asp)

From: <http://www.nicnas.gov.au/Community.asp>

## Scheduled Poisons & TGA Issues

### • Guidelines for Classification of Poisons

*Editor's Comment*: Guidelines for the National Drugs and Poisons Schedule Committee will be reviewed against the GHS Criteria in 2009 and a decision made by the OCS as to how they might be aligned.

When this discussion occurs later in 2009 it is worthwhile to look at the existing Guidelines so you can be ready to make your own assessment and comment when the time comes.

Guidelines obtained at: [www.tga.gov.au/ndpsc/ndpscq.pdf](http://www.tga.gov.au/ndpsc/ndpscq.pdf)

### • NDPSC Scheduling Meeting in February 2009

For the scheduling meeting of the NDPSC held on 17-19 February 2009 there were two points for discussion under **Other Agricultural/Veterinary, Industrial and Domestic Chemicals** that got my attention:

3.4 Liquid Hydrocarbons – review of the scheduling exemption for food grade and pharmaceutical grade white mineral oils relating to concerns regarding risk of aspiration of white mineral oils in personal care products.

3.5 Ethylene Glycol and Diethylene Glycol – consideration of scheduling in light of recent incidences where these substances were substituted for non-toxic Propylene Glycol in certain medical devices. This consideration includes a proposal to review the 2.5 per cent or less exemption for

Ethylene Glycol and a proposal to align the scheduling of Diethylene Glycol with that of Ethylene Glycol.

From: [www.tga.gov.au/ndpsc/gazette/q0902pre.pdf](http://www.tga.gov.au/ndpsc/gazette/q0902pre.pdf)

## • Schedule 7 Poisons – Jurisdiction Variations

Australian State and Territory Regulatory Controls on Schedule 7 Poisons are listed with their variations tabulated of how they are regulated by each State and Territory.

e.g. In Victoria there are "listed regulated poisons" and in NSW they adopt SUSDP Appendix C into its Schedule 7.

Obtain the information at [www.tga.gov.au/ndpsc/s7juris.htm](http://www.tga.gov.au/ndpsc/s7juris.htm) or download it as [www.tga.gov.au/ndpsc/s7juris.pdf](http://www.tga.gov.au/ndpsc/s7juris.pdf).

*Editor's Comment:* Please work to the actual regulations in each State as this summary table should not be used as a substitute.

*Editor's Comment:* In Victoria "listed regulated poisons" must be explicitly listed on your Poisons Licence otherwise they can't be obtained, used, sold, or stored. A Schedule 7 Poisons Licence without them listed means you can't store, handle, sell, use any of the "listed regulated poisons".

*Editor's Comment:* Wouldn't it be great if our authorities could agree to one approach for Licences & Poisons Plans!

## • TGA Regulatory Affairs Consultants - Links

Regulatory affairs consultants offer services, including advice and assistance, in relation to regulatory requirements. The Therapeutic Goods Administration does **not** provide a list of consultants. However the TGA does provide a link to them via their industry association list.

- [ACCORD Australasia](#)
- [ARCS Australia Ltd \(Association of Regulatory and Clinical Scientists\)](#)
- [Association of Therapeutic Goods Consultants Inc.](#)
- [AusBiotech](#)
- [Australian Dental Industry Association](#)
- [Australian Self-Medication Industry Association](#)
- [Complementary Healthcare Council \(CHC\)](#)
- [Medical Technology Association of Australia \(MTAA\)](#)

From: [www.tga.gov.au/docs/html/regafair.htm](http://www.tga.gov.au/docs/html/regafair.htm)

## Food Chemical Issues

### • Bisphenol A (BPA) and Food Packaging

FSANZ monitors issues related to the migration of chemicals from packaging and into food, and over the past few years has become aware of a number of reports claiming that chemicals in plastic containers may contaminate the food or liquid inside.

Bisphenol A (BPA) is an industrial chemical used as the starting material for the production of polycarbonate plastics and synthetic resins. BPA is found in items or containers that come into contact with foodstuffs such as drinking vessels, baby bottles, plastic tableware and the internal coating on tins for tinned-food. In some circumstances, chemicals in food packaging can migrate into the food product, and vice versa.

BPA belongs to a group of substances which can act in a similar way to some hormones and as such are sometimes called 'endocrine disruptors'. Some studies in laboratory animals suggest that low levels of (consumed) BPA may have an effect on the reproductive system. Similar consequences in consumers at these low concentrations

are considered unlikely because BPA is rapidly inactivated and then excreted in the urine.

FSANZ has assessed the risk to infants from exposure to BPA and concurred with the conclusions reached by the US FDA and the European Food Safety Authority EFSA, that the levels of exposure are very low and do not pose a significant health risk.

The move by overseas manufacturers to stop using BPA in baby bottles is a voluntary action and not the result of a specific action by regulators. However, FSANZ would support the use of alternatives to BPA in baby bottles provided they are safe.

FSANZ regulates food packaging materials through *Standard 1.4.3 –Articles and Materials in Contact with Food*. Standard 1.4.3 deals with food contact materials in general terms, and does not specify individual packaging materials for food contact or how they should be produced or used. With respect to plastic packaging products, the Standard 1.4.3 refers to the Australian Standard for Plastic Materials for Food Contact Use, AS 2070-1999.

From: [www.foodstandards.gov.au/newsroom/factsheets/factsheets2009/bisphenolabpaandfood4218.cfm](http://www.foodstandards.gov.au/newsroom/factsheets/factsheets2009/bisphenolabpaandfood4218.cfm)

### • Acrylamide in Food – Update

As shown by the Swedish research, Acrylamide can form in certain foods during cooking when sugars are heated with amino acids –specifically asparagine – in what is called a Maillard reaction. Sugars and amino acids are naturally occurring constituents found in many foods. Maillard reaction products occur in cooking to produce the common cooking odours, flavours and texture of cooked food. The major foods in which Acrylamide has been detected are fried or roasted potato products, coffee and cereal-based products (sweet biscuits, bread, rolls and toast) .

There are two areas of concern, namely potential toxicity to the nervous system and potential genetic damage that may lead to cancer.

The health consequences of exposure to the low levels found in foods are less clear than high levels that may be encountered in industry. At present, there is no direct evidence that Acrylamide causes cancer in humans.

FSANZ has undertaken the several activities in relation to Acrylamide that are on the website below. For example:

- Finalised two Applications that sought approval of enzymes that reduce the formation of Acrylamide in cereal-based foods, bread, potato flour based products and savoury ingredients.
- Liaised with the Australian food industry to encourage and support them to examine ways in which manufacturing practices might be changed to reduce Acrylamide formation in foods. Part of this will include a follow up of the effectiveness of the recently approved enzymes in reducing levels Acrylamide levels in a range of foods.

**International Action:** On 21 February 2009, Health Canada released a draft screening assessment report for 5 chemical substances as part of the Government of Canada Chemicals Management Plan. The Health Canada draft report for Acrylamide is available at [www.chemicalsubstanceschimiques.gc.ca/challenge-defi/batch-lot-5/79-06-1\\_e.html](http://www.chemicalsubstanceschimiques.gc.ca/challenge-defi/batch-lot-5/79-06-1_e.html).

Their Draft Screening Assessment for The Challenge 2-Propenamide (Acrylamide) can be found at [www.ec.gc.ca/substances/ese/eng/challenge/batch5/batch5\\_79-06-1.cfm](http://www.ec.gc.ca/substances/ese/eng/challenge/batch5/batch5_79-06-1.cfm).

From: [www.foodstandards.gov.au/newsroom/factsheets/factsheets2009/acrylamideinfoodfebr4211.cfm](http://www.foodstandards.gov.au/newsroom/factsheets/factsheets2009/acrylamideinfoodfebr4211.cfm)

## • Application A552 Cadmium In Peanuts – 1<sup>st</sup> Review

The objective of this Review was to reconsider the draft variation to Standard 1.4.1 in light of the Ministerial Council's grounds for review as outlined in Section 3 of the First Review Report published 11 Nov 2008.

*Summary of Ministerial Council's Grounds for review:*

3.1.1 It is not consistent with the objectives of the legislation (Section 3 Object of the Act) which establishes FSANZ,

3.1.2 Protection of public health and safety &

3.1.3 Cost burden on industry and consumers.

*Decision:* The First Review concludes that the preferred review option is Option 1. FSANZ has decided to re-affirm the variation to Standard 1.4.1 of the Code to increase the ML for Cadmium in peanuts from 0.1 to 0.5 mg/kg, as detailed in **Attachment 1** of the First Review Report.

[http://www.foodstandards.gov.au/\\_srcfiles/A552%20Cadmium%20in%20peanuts%20FRR%20FINAL.pdf](http://www.foodstandards.gov.au/_srcfiles/A552%20Cadmium%20in%20peanuts%20FRR%20FINAL.pdf)

## • Food Derived from a Genetically Modified Soybean

FSANZ is inviting interested parties to provide information and comment on an application seeking approval for food derived from a genetically modified soybean, which must undergo a safety evaluation by FSANZ before it can be sold in Australia and New Zealand.

An amendment to the Food Standards Code has been requested to permit the sale and use of food derived from a new genetically modified (GM) variety of soybean that is tolerant to the herbicide Glyphosate and to an Acetolactate Synthase (ALS)-inhibiting class of herbicides. FSANZ has conducted a safety assessment on this GM soybean, which revealed no public health or safety concerns.

Food derived from herbicide-tolerant soybean line DP-356043-5 (**Application A1006** – First Assessment) at [www.foodstandards.gov.au/standardsdevelopment/applications/application1006food3900.cfm](http://www.foodstandards.gov.au/standardsdevelopment/applications/application1006food3900.cfm). The 98 page Assessment Report is at [www.foodstandards.gov.au/\\_srcfiles/A1006%20GM%20Soybean%201st%20AR%20FINAL.pdf](http://www.foodstandards.gov.au/_srcfiles/A1006%20GM%20Soybean%201st%20AR%20FINAL.pdf).

Submissions to FSANZ by **Friday 1 May 2009**, ph: 02-6271-2222, to [Standards.Management@foodstandards.gov.au](mailto:Standards.Management@foodstandards.gov.au).

From: [www.foodstandards.gov.au/newsroom/mediarelease/s/mediareleases2009/20march2009publiccom4221.cfm](http://www.foodstandards.gov.au/newsroom/mediarelease/s/mediareleases2009/20march2009publiccom4221.cfm)

## Agricultural & Veterinary Chemicals

### • Atropine for Organophosphorus Poisoning

Atropine has a range of uses including the treatment of poisoning with Organophosphorus (OP) & Carbamate pesticides.

Currently OP and Carbamate pesticide products registered in Australia must display a label statement directing the user to obtain an emergency antidote supply of Atropine tablets in case of poisoning.

The manufacturing of Atropine tablets had been discontinued as of February 2006. Future manufacturing was not likely due to the restricted and small market of consumers. Because Atropine tablets were also required under a First Aid Instruction (statement "m" - "give Atropine if instructed") in case of poisoning, its lack of availability in tablet form suggested that current and future users of OP and Carbamate pesticides would be in breach of workplace health and safety legislation.

A review by the Office of Chemical Safety of the requirement for a supply of Atropine Sulphate tablets as a first-aid antidote in an agricultural workplace setting.

At: [www.health.gov.au/internet/main/Publishing.nsf/Content/ohp-ocs-anticholinesterase-cnt.htm](http://www.health.gov.au/internet/main/Publishing.nsf/Content/ohp-ocs-anticholinesterase-cnt.htm)

Some conclusions of the Report included:

– Atropine was still the best treatment for OP poisoning, when administered under the supervision of a health professional.

– Available evidence indicated a decreasing incidence of OP exposure reporting and severity of poisoning cases in an environment where atropine tablets were no longer available.

– Atropine, in tablet form, would be difficult to administer to an unconscious patient. Atropine treatment may not be crucial for mild to moderate cases but diagnosis and treatment by a health professional was still be necessary. Therefore, the retention of the requirement for readily available atropine sulfate tablets as a first-aid treatment was difficult to justify.

– Warning Statements and Safety Directions on OP and Carbamate product labels instructing users to obtain atropine were no longer warranted. Therefore, FAISD and SUSDP entries pertaining to the requirement of atropine for the treatment of Carbamate and OP poisonings should be amended.

The Committee decided to amend the Schedule 2 Atropine entry by deleting part (b), i.e. removing the specific entry for Atropine Sulfate when for the treatment of organophosphorus poisoning.

**From 1 May 2009:** Schedule 2 ATROPINE – Amend entry to read only the current part (a), with part (b) removed; and Appendix E – Part 1 -Amended entry for Special Purpose SP1 Standard Statement that refers to Atropine.

From: [www.tga.gov.au/ndpsc/record/rr200810.pdf](http://www.tga.gov.au/ndpsc/record/rr200810.pdf)

Once the amendments to the First Aid and Safety Directions (FAISD) handbook are made, the APVMA will give affected registrants the opportunity to voluntarily choose to amend their labels via a Category 13 application, or will be asked to update their labels as part of their reprinting cycle.

From: [www.apvma.gov.au/new/latestnews\\_atropine.shtml](http://www.apvma.gov.au/new/latestnews_atropine.shtml)

### • Changes to Fungicide Labels

Labels for all fungicide products require updating to reflect changes to activity group codes introduced on 27 Oct 2008.

The correct activity group and associated resistance management statements must appear on all fungicide product labels before 27 October 2011.

The new [fungicide activity groups \(CropLife website\)](http://www.croplifeaustralia.org.au/default.asp?V_DOC_ID=1953) at [www.croplifeaustralia.org.au/default.asp?V\\_DOC\\_ID=1953](http://www.croplifeaustralia.org.au/default.asp?V_DOC_ID=1953) & associated Fungicide Resistance Management Strategies appear on the CropLife Australia website & will be incorporated into the Ag Labelling Code as soon as practicable.

[AgProductscoordinator@apvma.gov.au](mailto:AgProductscoordinator@apvma.gov.au) ph: 02-6210-4748.

From: [www.apvma.gov.au/new/fungicide\\_labels.shtml](http://www.apvma.gov.au/new/fungicide_labels.shtml)

### • Benomyl is Not Registered or Approved in Aust.

Claims have been recently made in the media suggesting a possible link between the chemical Benomyl and alleged chemical contamination in the Noosa area.

Benomyl is not registered in Australia and cannot be used. Information on Benomyl and associated chemicals Carbendazim and Thiophanate Methyl (both of which are registered) is provided in the link below. Benomyl,

Carbendazim and Thiophanate-methyl are fungicides that belong to the same chemical class (so-called Benzimidazoles).

In animals, Benomyl is rapidly converted to Carbendazim. When given orally to laboratory animals in large single doses by stomach tube, Benomyl and Carbendazim can cause birth defects in animals, in particular small or absent eyes in rats (micro-ophthalmia and anophthalmia). However, when mixed in with the diet and fed to the animals, even very high doses of these two chemicals did not produce any evidence of this type of birth defect.

In contrast to Benomyl and Carbendazim, Thiophanate-Methyl did not induce birth defects in laboratory animals even following high oral doses administered by stomach tube. While Thiophanate-methyl breaks down in the environment to form Carbendazim, in mammals Thiophanate-Methyl appears to undergo only very limited metabolic conversion to Carbendazim.

In 2001 DuPont, the main producer of Benomyl, withdrew Benomyl products from the worldwide market, citing the high cost of litigation in the US courts (both claims of human birth defects and significant claims of crop damage due to possible contamination of the fungicide product with herbicides) as the primary reason for their decision. In Australia, DuPont Australia formally ceased sales of 'Benlate' from December 31, 2001 and voluntarily cancelled registration of the product in August 2003. In October 2003 the APVMA began a formal review of the remaining active constituent approvals and product registration of Benomyl and moved to suspend Benomyl product labels in order to add a precautionary birth defect warning. However, it did not continue with the review as the remaining active constituent approval holders and product registrant voluntarily cancelled their approvals and registration.

From: [www.apvma.gov.au/new/benomyl.shtml](http://www.apvma.gov.au/new/benomyl.shtml)  
 Also see [www.apvma.gov.au/chemrev/benomyl.shtml](http://www.apvma.gov.au/chemrev/benomyl.shtml)

## • APVMA & Chemical Company Resolve Disputes

The APVMA and chemical importer and formulator, Imtrade Australia Pty Ltd, have reached an out of court settlement resolving all of the disputes between them amicably.

The APVMA, with the cooperation and assistance of Imtrade, has satisfied itself that the Record of Approved Active Constituents for Chemical Products and the Register of Chemical Products will now contain correct information in relation to Imtrade's registrations and approvals.

Imtrade has agreed to abide by strict registration conditions in relation to future approvals and registrations designed to monitor compliance with the relevant legislation, and has agreed to work closely with the APVMA to demonstrate compliance.

From: [www.apvma.gov.au/media/mr0904.shtml](http://www.apvma.gov.au/media/mr0904.shtml)

## • Warning of the Risks of Unregistered Imports

Mr Neville Matthew, APVMA Program Manager (Regulatory Strategy and Compliance) said on the 18<sup>th</sup> February 2009.

'In Sydney last Friday (13<sup>th</sup>) compliance officers from the APVMA seized around 15,000 cans of unregistered insect sprays that had been imported into Australia.'

'These products had not been registered by the APVMA and had therefore not been subject to the rigorous scientific evaluations that ensure compliance with Australian standards of quality and safety.'

'Consumers need to exercise caution in buying low price chemical products through discount variety stores as they may not be registered for sale and use in Australia'.

Although certain products may be available for supply in overseas markets, every product sold in Australia must first be assessed to ensure Australian consumers are appropriately protected. Products registered for use in Australia have the acronym NRA or APVMA followed by a series of numbers on the product label.

Consumers can search for registered products on the APVMA website at [www.apvma.gov.au](http://www.apvma.gov.au) by selecting:

- [Search PUBCRIS for Registered Chemicals](#)

For information, contact: Neville Matthew 0458-473-370.

From: [www.apvma.gov.au/media/mr0903.shtml](http://www.apvma.gov.au/media/mr0903.shtml).

## • Ag and Vet Chemicals Registration Consultants

Registration consultants often perform an important role in assisting registrants work their way through the regulatory requirements for registering pesticides and veterinary chemicals in Australia.

The list of registration consultants via the link below have provided information about themselves to the APVMA.

Prospective users of these consultants' services should carefully evaluate their suitability and relevance for their purposes by making their own enquiries, and should obtain appropriate professional advice relevant to their particular circumstances.

Area of consulting expertise covers:  
 X - Veterinary Medicine Registrations  
 Y - Agricultural Registrations

Together with:

A - Chemistry and manufacture;	B – Toxicology
C - Metabolism and kinetics;	D – Environment
E - Efficacy and safety;	F – Residues
G – Trade;	H - OH&S; and
	I - Other services

From: [www.apvma.gov.au/registration/registration\\_consultants.shtml](http://www.apvma.gov.au/registration/registration_consultants.shtml)

## • Ag Active Constituents QA Scheme Review

Review into the Operation of the APVMA Quality Assurance Scheme for Agricultural Active Constituents.

**Reason for the review:** The Scheme is the APVMA's primary compliance activity to provide quality assurance of agricultural active constituents. In recent months the APVMA has received consistent feedback that the scheme is labour intensive, too focused on paperwork and does not adequately address the concerns about the quality and specification of agricultural chemical products supplied to the market after registration assessment.

Send feedback to: Ms Adrienne Walker, Regulatory Strategy and Compliance Program, APVMA. Email: [adrienne.walker@apvma.gov.au](mailto:adrienne.walker@apvma.gov.au). Comment closes: **6 April 09**.

## • Community Consultative Committee Dec 2008

**Harshness Indicators Standard:** The APVMA is searching for ways to better inform consumers of the toxicity of a product. This would allow the users of chemicals to decide if there is a safer product or method to reduce exposure and risk to self, others, and the environment. Members made comment on the draft standard.

Cont.

**The Educational Role of the APVMA:** The APVMA has a huge database of information which is not easy to navigate. Members of the CCC were informed that the APVMA website will be reviewed in 2009. A more user friendly website would allow APVMA to become a one stop shop for those seeking information on topics & issues pertaining to Agvet chemicals.

*Note: Members of the CCC welcome any comments regarding the role of the APVMA in the area of education. Email to: [ccc@apvma.gov.au](mailto:ccc@apvma.gov.au).*

From: <http://melonmail.melon.com.au/em/message/email/view.php?id=420136&u=2919>

## • New Agricultural Active Constituents (1)

Principal Chemist, Chemistry Section, Pesticides Program, APVMA, ph: 02-6210-4821, fax: 02-6210-4840, email [apvma.chemistry@apvma.gov.au](mailto:apvma.chemistry@apvma.gov.au) From: [www.apvma.gov.au/gazette/gazette0902.shtml](http://www.apvma.gov.au/gazette/gazette0902.shtml)

### 1/Flubendiamide

Flubendiamide is the first member of a new chemical class of insecticides, the Phthalic Acid Diamides (1,2-Benzenedicarboxamides), which is proposed for use against a range of lepidopteran pests in brassica crops.

Chemical Name: 3-Iodo-N-(2-Mesyl-1,1-Dimethylethyl)-N-{4-[1,2,2,2-Tetrafluoro-1-(Trifluoromethyl)ethyl]-o-Tolyl} Phthalamide; CAS Number: 272451-65-7; Minimum Purity: ≥960 g/kg; Formula: C23H22F7IN2O4S; MW: 682.4.

Mode of Action: Lepidopteran larvicidal activity as an orally ingested toxicant by targeting & disrupting the Ca<sup>2+</sup> balance.

The NDPSC has included it in Schedule 5 of the SUSDP.

From: [www.apvma.gov.au/gazette/gazette0902.shtml](http://www.apvma.gov.au/gazette/gazette0902.shtml)

## • Ag & Vet Chemicals under Current Review

1-9	M
<a href="#">2,4 D</a>	<a href="#">Macrolide antibiotics</a>
A-B	<a href="#">Maldison (Malathion)</a>
<a href="#">Azinphos-methyl</a>	<a href="#">Methamidophos</a>
C	<a href="#">Methidathion</a>
<a href="#">Carbaryl</a>	<a href="#">Methiocarb</a>
<a href="#">Carbendazim</a>	<a href="#">Molinat</a>
<a href="#">Chlorfenvinphos</a>	N-O
<a href="#">Chlorpyrifos</a>	<a href="#">Neomycin</a>
D-E	<a href="#">Omethoate</a>
<a href="#">Diquat</a>	P-R
<a href="#">Diuron</a>	<a href="#">Paraquat</a>
<a href="#">Diazinon</a>	<a href="#">Parathion-methyl</a>
<a href="#">Dichlorvos</a>	<a href="#">Polihexanide</a>
<a href="#">Dimethoate</a>	<a href="#">Procymidone</a>
F-L	<a href="#">Propetamphos</a>
<a href="#">Fenamiphos</a>	S-Z
<a href="#">Fenitrothion</a>	<a href="#">Sheep Ectoparasiticides</a>
<a href="#">Fenthion</a>	<a href="#">Temephos</a>
<a href="#">Fipronil</a>	<a href="#">Thiophanate methyl</a>

[www.apvma.gov.au/chemrev/Reviews.shtml#currentreviews](http://www.apvma.gov.au/chemrev/Reviews.shtml#currentreviews)

## Dangerous Goods

### • IMDG 2008 – Mandatory Shore-Side Training

The mandatory IMDG training that is required to have been done before 1st Jan 2009 is extensive, and if not done will most likely cause disruption to your transport of Dangerous Goods by sea.

It covers all shore-side personnel as detailed in 1.3.1.2 (list follows) who shall receive General Awareness / Familiarization and Function Specific training as detailed in 1.3.1.2.1 and 1.3.1.2.2 (details not included here).

**Classify** Dangerous Goods & identify Proper Shipping Names;

**Pack** Dangerous Goods;

**Mark**, label or placard Dangerous Goods;

**Load/unload** Cargo Transport Units;

**Prepare** transport documents for Dangerous Goods;

**Offer** Dangerous Goods for transport;

**Accept** Dangerous Goods for transport;

**Handle** Dangerous Goods in transport;

**Prepare** Dangerous Goods loading/stowage plans;

**Load/unload** Dangerous Goods into/from ships;

**Carry** Dangerous Goods in transport;

**Enforce** or survey or inspect for compliance with applicable rules and regulations; or

**Are otherwise** involved in the transport of Dangerous Goods as determined by the Competent Authority.

The Australian Marine Safety Authority (AMSA) is reviewing these requirements to help industry to meet these mandatory training obligations.

Note 1: In 1.3.1.1 - Entities engaging shore-side personnel in such activities shall determine which staff will be trained, levels of training and training methods which shall be provided or verified upon employment in position involving dangerous goods transport. For persons who have not yet received the required training, the entities shall ensure that those personnel may only perform functions under the direct supervision of a trained person.

Note 2: In 1.3.1.3 - Details of all the training undertaken shall be kept by both the employer and the employee. Training records shall be made available to the Competent Authority if requested.

*Editor's Comment:* The scope of what is required was in the IMDG Code 2006 and has been known since January 2007. We should have been all getting ready for some years now. Are all your shore-side personnel trained and recorded?

From: *The IMDG Code 2008 Chapter 1.3 with comments by Jeff Simpson, Editor.*

*Alex Schultz-Altman from AMSA has been fitted in to give a brief overview at the HazMat 2009 conference (see page 11).*

### • ADG 7 Dangerous Goods Obligations & Penalties

#### Model Law: Part 5 Offences and Penalties

68 Offence provisions	p73
69 Failure to hold licence etc	p74
70 Goods too dangerous to be transported	p75
71 Duties concerning the transport of dangerous goods	p76

#### 71 Duties Concerning the Transport of Dangerous Goods

(1) A person involved in the transport of dangerous goods by road or rail who fails to ensure that the goods are transported in a safe manner is guilty of an offence.

Offence provision. *(new)*

(2) If a person involved in the transport of dangerous goods by road or rail fails to comply with a provision of this Act in circumstances where the person knew, or reasonably ought to have known, that the failure would be likely to endanger the safety of another person or of property or the environment, the person is guilty of an offence. Offence provision.

{{(3) It is a defence to a prosecution for an offence against subsection (1) that the person complied with the subsection as far as practicable.}}

## Penalties for Duty Failures under 71:

- if the failure results in death or serious injury to a person - \$2000 infringement penalty or \$100 000 or 4 years imprisonment Maximum Court-Imposed Penalty on individual;

- in any other case - \$2000 infringement penalty or \$50 000 or 2 years imprisonment Maximum Court-Imposed Penalty on individual.

From: [www.frli.gov.au/ComLaw/Legislation/LegislativeInstrument1.nsf/0/4EB212CC6C55C3D9CA2573700006D144/\\$file/0312249A070618EV.pdf](http://www.frli.gov.au/ComLaw/Legislation/LegislativeInstrument1.nsf/0/4EB212CC6C55C3D9CA2573700006D144/$file/0312249A070618EV.pdf)

Via: [www.ntc.gov.au/viewpage.aspx?documentid=853](http://www.ntc.gov.au/viewpage.aspx?documentid=853)

## • ADG Code 7 Dangerous Goods ‘not subject to’

1.2.1.2.4.2 However, substances or articles that satisfy the criteria set out, or referred to, in Part 2 of the ADG Code 7<sup>th</sup> Edition are not dangerous goods for the purposes of this Code if they are:

(b) described as ‘not subject to this Code’ in a special provision in Chapter 3.3 of this Code that is applied to the goods by column (6) of the Dangerous Goods List, provided that all conditions included with that statement are met.

From the ADG Code 7<sup>th</sup> Edition 1.2.1.2.4.2 available at: [www.ntc.gov.au/viewpage.aspx?Areald=35&DocumentId=1147](http://www.ntc.gov.au/viewpage.aspx?Areald=35&DocumentId=1147)

*Editor’s Comment 1: ‘not dangerous goods for the purposes of this Code’ makes a much clearer statement on MSDSs rather than “not subject to this Code”.*

*Editor’s Comment 2: As this definition is specific to Transport of Dangerous Goods by Road & Rail it doesn’t cover Environmentally Hazardous Dangerous Goods that are to be classified for Storage and Handling Regulations. State & Territory Authorities need to make an explicit determination how they want industry to manage Environmentally Hazardous products that are not labelled as Dangerous Goods, but classify as Dangerous Goods (information must be included in MSDSs).*

## • WA Approved Emergency Responders List

The Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007 (WA) make it an offence for a person who is a prime contractor or rail operator to transport a placard load of dangerous goods without being an approved emergency responder or having a contract with a person who is an approved emergency responder.

This regulation will be enforced from 1 March 2009 and does not apply to Classes 1 (explosives) and 7 (radioactive material) or Division 6.2 (infectious substances).

[www.dmp.wa.gov.au/documents/Misc/DG\\_ApprovedEmergencyResponder.pdf](http://www.dmp.wa.gov.au/documents/Misc/DG_ApprovedEmergencyResponder.pdf)

From: [www.dmp.wa.gov.au/6682.aspx#6790](http://www.dmp.wa.gov.au/6682.aspx#6790)

Note: Ken Raine, WA DOCEP will refer to this at HazMat 2009.

*Editor’s Comment: In other States the requirement for consignors and prime contractors to have written emergency plans in place prior to transporting Dangerous Goods (since 1998) effectively means we all need to set up how the response will be managed should an incident occur.*

## • Draft Dangerous Subs (Safe Handling) Regs 2008

The Tasmanian draft Dangerous Substances (Safe Handling) Regulations 2008 detail ways of achieving acceptable levels of risk. The draft regulations prescribe that risks must be minimised according to the *National Standard for the Storage and Handling of Workplace Dangerous Goods*, the *National Standard for the Control of Major Hazard Facilities*, associated national codes of practice and relevant standards.

Public comment on the draft Dangerous Substances (Safe Handling) Regulations 2008 closed on 28 February 2008.

**Emergency Plans and Procedures:** The new legislation requires that emergency plans and procedures must be developed and documented for major hazard facilities and large dangerous substance locations. Emergency procedures must be developed for dangerous substance locations, and it is advised that procedures should be developed for minor storages.

From: [www.wst.tas.gov.au/\\_data/assets/pdf\\_file/0006/118995/WPIMar09.pdf](http://www.wst.tas.gov.au/_data/assets/pdf_file/0006/118995/WPIMar09.pdf)

And: [www.wst.tas.gov.au/safety\\_comply/dang\\_subs/handling](http://www.wst.tas.gov.au/safety_comply/dang_subs/handling)

## Environmental Notes on Chemicals

### • Work Begins to Remove Esperance Lead Stockpile

The removal of 9000 tonnes of stockpiled lead carbonate from Esperance Port, in Western Australia’s south, has begun.

The lead will be removed with the help of specialised bagging equipment and a dust extraction system.

Deputy Premier Dr Kim Hames said the bagging process would be carried out to an extremely high standard to protect the local community and environment. “The lead will be placed in double-lined two tonne bags and sealed and stored in containers in a designated dangerous goods storage area ready for export to China.

“To prevent any dust escaping, a negative pressure system has been installed in the sheds where the bagging of the lead and containerising of the bags is carried out. The whole process will be carefully monitored.”

“A container ship has been arranged by Magellan Metals and will berth at Esperance to collect the containers once the bagging has been completed, which is expected to take about 10 weeks.”

Dr Hames said in addition to handling the lead issue, strict conditions on the export of nickel sulphide had been set down.

From: [www.dmp.wa.gov.au/documents/Prospect\\_March\\_2009.pdf](http://www.dmp.wa.gov.au/documents/Prospect_March_2009.pdf)

Mike Rowe WA DOCEP will refer to this at HazMat 2009.

### • Draft Vic Industrial Waste Resource Regulations

Draft Victorian EPA Regulations providing guidance for the safe and efficient management of hazardous waste have been released for public consultation by EPA Victoria.. They aim to provide practical assistance to industry as it seeks to avoid generating waste and maximise rates of reuse and recycling of industrial waste resources.

Previous consultation for the draft has focused on ensuring the new regulatory framework delivers sustainable outcomes for the community, the economy and the environment.

The definition of 'prescribed industrial waste' will change from the current reliance on the list in Schedule 1 of the current Regulations to a reliance on the definition of 'industrial waste' in the Act, with all industrial waste defined as prescribed industrial waste unless it is classified as non-prescribed in a new Schedule 1 list, has a 'direct beneficial reuse' or 'secondary beneficial reuse' (via reuse notification to EPA), or its potential hazard is below the (yet-to-be-established) base-threshold for Category C prescribed industrial waste.

The Victorian Competition & Efficiency Commission Assessment noted "that the Regulatory Impact Statement assumes the proposed regulations will lead to an increase in the amount of industrial waste reused / recycled from an estimated 24% currently to 40% over a two year period. The VCEC notes this assumption is contingent upon there being sufficient market opportunities and facilities available for reuse and recycling."

Public comment closed Friday 3 April 2009. The new Regulations will take effect from July 2009.

- Download the [draft Environment Protection \(Industrial Waste Resource\) Regulations 2009](#).
- [Regulatory Impact Statement](#).
- [Victorian Competition & Efficiency Commission Assessment](#)

From: [www.epa.vic.gov.au/waste/future-hazardous-waste.asp](http://www.epa.vic.gov.au/waste/future-hazardous-waste.asp)

## • SA EPA (Waste to Resources) Draft Policy

The SA EPA has developed a draft [Environment Protection \(Waste to Resources\) Policy](#) and Explanatory Report at: [http://www.epa.sa.gov.au/pdfs/draft\\_waste.pdf](http://www.epa.sa.gov.au/pdfs/draft_waste.pdf).

From: [www.epa.sa.gov.au/instructions.html#waste](http://www.epa.sa.gov.au/instructions.html#waste)

## Standards & Codes

- **Standards** – [www.saiglobal.com/shop](http://www.saiglobal.com/shop)  
Or for committee work go to: [www.standards.org.au](http://www.standards.org.au)

**AS/NZS 1715:2009: Selection, Use and Maintenance of Respiratory Protective Equipment.** Includes discussion of respiratory hazards, the assessment of associated risks and various methods of control including the use of respiratory protective equipment (RPE). **Published:** 6 Feb 2009, **ISBN:** 0-7337-9000-3, **Pages:** 96, **Price:** \$136.80 pdf \$152.00 Hardcopy.

**AS 2030.1-2009 Gas Cylinders - General Requirements.** Specifies requirements for the design, verification and manufacture of all gas cylinders for the storage and transport of compressed, dissolved and liquefied gases, of water capacity ranging from 0.1 kg to 3000 kg. **Published:** 28 Jan 2009, **ISBN:** 0-7337-9003-8, **Pages:** 17, **Price:** \$70.65 pdf \$78.60 Hardcopy.

**AS 2030.5-2009 Gas Cylinders - Filling, Inspection and Testing of Refillable Cylinders.** Specifies requirements for the filling, inspection and testing of refillable gas cylinders for the storage and transport of compressed and liquefied gases, of water capacity ranging from 0.1 kg to 3000 kg. **Published:** 28 Jan 2009, **ISBN:** 0-7337-8999-4, **Pages:** 34, **Price:** \$84.15 pdf \$93.50 Hardcopy.

**HB 326-2008 Urban Greywater Installation Handbook for Single Households.** **Published:** 31 Dec 2008, **ISBN:** 0-7337-8987-0, **Pages:** 93, **Price:** \$49.50 pdf \$55.00 Hardcopy.

**HB 230-2008 Rainwater Tank Design and Installation Handbook.** **Published:** 31 Dec 2008, **ISBN:** 0-7337-8975-7, **Pages:** 103, **Price:** \$49.50 pdf \$55.00 Hardcopy.

**BSI PD ISO/TR 12885:2008 Nanotechnologies. Health and Safety Practices in Occupational Settings Relevant to Nanotechnologies.** **Published:** 31 Mar 2009, **Pages:** 90, **Price:** \$406.65 Hardcopy.

**BSI BS EN 15527:2008 Characterization of Waste. Determination of Polycyclic Aromatic Hydrocarbons (PAH) in Waste Using Gas Chromatography Mass Spectrometry (GC/MS).** **Published:** 31 Mar 2009, **Pages:** 40, **Price:** \$311 Hardcopy.

**SAC GB/T 803:2008 Determination Of Explosion Indices Of Combustible Gases In Air.** **Published:** 1 Mar 2009. SAC is [Standardization Administration of China](#).

- **Drafts** – [www.saiglobal.com/shop](http://www.saiglobal.com/shop)

**DR 09017 Safety in Laboratories - Plant and Equipment Aspects.** Revision of AS 2243.6-1990. **Draft Published:** 5 Mar 09, **Pages:** 31, **Price:** Free pdf, \$30 hardcopy.

**Draft Division 4.1 Storage & Handling of Flammable Solids:** I am informed this draft should become available for public comment by the end of April 2009. When this occurs I will send out an alert email to Hazmat & Env Notes receivers.

## Seminars, Conferences

### • NICNAS Workshops: New Chemicals Fundamentals

NICNAS will be running two half-day training workshops at the Mercure, Sydney on **Tuesday 28th April 2009**, prior to the HazMat 2009 Conference.

The morning workshop will be aimed at new notifiers; the afternoon session will be training on the new LRCC categories, and will include other in-depth aspects of preparing a notification package.

Registrations close 7 April 09. For information: Julie Brown ph: 02 8577 8870, email [industrytraining@nicnas.gov.au](mailto:industrytraining@nicnas.gov.au)

If you are unable to attend these workshops but are interested in attending a workshop on the regulation of new industrial chemicals in your city email [industrytraining@nicnas.gov.au](mailto:industrytraining@nicnas.gov.au) so NICNAS can gauge interest.

From: [www.nicnas.gov.au/Publications/Chemical\\_Gazette/Chemical\\_Gazette\\_March\\_2009.asp](http://www.nicnas.gov.au/Publications/Chemical_Gazette/Chemical_Gazette_March_2009.asp)

### • Hazmat 2009, Sydney, 29-30<sup>th</sup> April 2009

Hazmat 2009 will be held in Sydney, on 29&30<sup>th</sup> April 2009. Details: [www.fpa.com.au/events/index.php?events=hazmat](http://www.fpa.com.au/events/index.php?events=hazmat)  
Contact Chris Dayson, Events Manager, FPAA, ph: 03-9890-1544 Email: [ChrisDayson@fpa.com.au](mailto:ChrisDayson@fpa.com.au).

### • Ecoforum Conference & Exhibition, 28-30 Apr 08

Australian Technology Park, Sydney NSW.  
[www.ecoforum.net.au/2009/](http://www.ecoforum.net.au/2009/)

### • PACIA National Conference 1-3<sup>rd</sup> June 09, Melb 'Survive and Thrive: Positioning for the Future'

Contact John Osborn [josborn@pacia.org.au](mailto:josborn@pacia.org.au) ph: 03-9429-0670.  
From: [www.pacia.org.au/index.cfm?mmid=013](http://www.pacia.org.au/index.cfm?mmid=013)

**Haztech Environmental:** Chemical Hazard Classifications done & reviewed. MSDSs prepared & reviewed. Labels prepared & reviewed. Chemical Control & Safety Regulatory Compliance: checked for NICNAS, TGA, FSANZ, TGA; prepared & reviewed for Dangerous Goods & Combustible Liquids, Workplace Hazardous Substances, Environmentally Hazardous Substances, Scheduled Poisons, and other Chemical and Physical Hazards.

*I can come and work in your office*, which provides better access to data with improved security, plus good technical contact with relevant personnel. This allows the work to be done more quickly and comprehensively. *I also work from my home office*, in Ashburton, Victoria, where I maintain an extensive reference library, developed over 18+ years whilst preparing these Notes.

**Contact:** Jeff Simpson, Hazardous Materials & Regulatory Affairs Consultant, Haztech Environmental, 18 Laurel St, Ashburton 3147, Australia, 61-(0)3-9885-1269, 61-(0)403-072-092, [Jeff.Simpson@haztech.com.au](mailto:Jeff.Simpson@haztech.com.au)

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