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### • Qld Releases WHS Laws, Regulations & Codes

The Qld *Work Health and Safety Act 2011* was passed on 26 May 2011. The Qld *Work Health and Safety Regulation 2011* was passed on 24 Nov 2011

[Work Health and Safety Act 2011](#)

[Work Health and Safety Regulation 2011](#)

From: [www.deir.qld.gov.au/workplace/law/whslaws/legislation/index.htm](http://www.deir.qld.gov.au/workplace/law/whslaws/legislation/index.htm)

There are now 12 Codes available to download from Worksafe Qld. I have specifically listed those directly related to chemicals. They were published 2 Dec 2011.

[Confined Spaces Code of Practice 2011](#) (35 pages)

[How to Manage and Control Asbestos in the Workplace Code of Practice 2011](#) (64 pages)

[How to Safely Remove Asbestos Code of Practice 2011](#) (67 pages)

[Labelling of Workplace Hazardous Chemicals Code of Practice 2011](#) (101 pages)

[Preparation of Safety Data Sheets for Hazardous Chemicals Code of Practice 2011](#) (100 pages)

From: [www.deir.qld.gov.au/workplace/law/whslaws/legislation/codes/index.htm](http://www.deir.qld.gov.au/workplace/law/whslaws/legislation/codes/index.htm)

See Page 3 for comment under the **What Happens for WHS on the 1st January 2012?**

**Hazmat & Environment Notes are prepared by:**

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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.

Screen

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## Hazardous Substances

### • Chemicals in Consumer Products

The results of the ACCC and State and Territory consumer product safety regulators evaluating Chemicals in Consumer Products are now published on the **Product Safety Australia** website following:

- investigating potential chemical hazards in consumer products
- developing bans and mandatory standards where evidence shows a consumer product has or could cause injury, illness or death.

Recent examples are:

**Formaldehyde Misrepresentations in Hair Products:** [www.productsafety.gov.au/content/index.phtml/itemId/990775](http://www.productsafety.gov.au/content/index.phtml/itemId/990775), which were claimed to be “Formaldehyde Free” but where Formaldehyde was present at less than the concentrations in the SUSMP that are required to be Scheduled.

### Toxic lead Levels in Children’s Halloween Face Paints:

[www.accc.gov.au/content/index.phtml/itemId/1014760/fromItemid/2332](http://www.accc.gov.au/content/index.phtml/itemId/1014760/fromItemid/2332). The ACCC found a children’s face paint with excessive levels of Lead being sold on the Australian market in the lead up to Halloween.

The “Horror Make Up” was tested during a product safety survey which targeted toxic elements in products aimed at young children. The product safety survey covered 95 children’s products from a wide range of brands sold at various chain and independent retailers across Victoria, Tasmania and the ACT. Only one of the 95 products failed to meet the mandatory standard.

From: [www.productsafety.gov.au/content/index.phtml/itemId/980990](http://www.productsafety.gov.au/content/index.phtml/itemId/980990)

### • UN Experts Target Toxic Flame Retardant HBCD

The Persistent Organic Pollutants Review Committee, a scientific body to the Stockholm Convention on Persistent Organic Pollutants (POPs), took action on the 14<sup>th</sup> October 2012 to help eliminate POPs from the global marketplace and protect human health and the environment. The Committee adopted more than a dozen separate decisions, including one recommending that the chemical HexaBromoCycloDodecane (HBCD) be listed under the Convention.

HBCD is a flame retardant used mainly in Polystyrene. It is also used in textile coatings and in high impact Polystyrene for electrical and electronic equipment.

The Persistent Organic Pollutants Review Committee (POPRC) is composed of 31 highly placed scientist members. Its mandate is to review proposals to add new chemicals to the Stockholm Convention.

[www.unep.org/newscentre/Default.aspx?DocumentID=2656&ArticleID=8906](http://www.unep.org/newscentre/Default.aspx?DocumentID=2656&ArticleID=8906)

*The POPRC7 Report: Risk Management Evaluation on HexaBromoCycloDodecane (30 pages) is available at:*  
<http://chm.pops.int/Convention/POPsReviewCommittee/POPRCMeetings/POPRC7/POPRC7ReportandDecisions/tabid/2472/Default.aspx>

*Some points of interest in the POPRC7 Report:*

- **HBCD phase-out** could include flame retardant substitution, resin/material substitution and product redesign. There are already available on the market chemical alternatives to replace HBCD in high-impact polystyrene (HIPS) and textile back-coating. The available non-halogenated chemical alternatives can be considered to be better for the environment and health. No alternative drop-in replacement chemical is currently available on the market for all EPS/ XPS production processes, although a substitute should become commercially available by 2012. In addition, other chemicals are under development in several regions by collaborative efforts between different stakeholders, but some time will still be needed before the identified alternatives can be phased in by the polystyrene foam industry. There are also several alternative materials commercially available on the market that could be used as an alternative to flame retarded EPS and XPS. These include Phenolic foams, glass and rock wool blankets, cellular glass, foam glass, and loose fills that may contain rock wool, fibre glass, Cellulose or Polyurethane foam. Another alternative used in some countries is to use EPS/XPS without flame retardants together with alternative construction techniques and thermal barriers. This option may, however, be subject to national building codes.
- **The suggested control measure** is that HBCD be listed under the Convention. To allow for certain time-limited critical uses of HBCD, a specific exemption for use of HBCD in EPS/XPS could be given together with a description of the conditions for production and for these uses. Such a listing would effectively end the use of HBCD as a flame retardant in highly emissive textile applications and in HIPS, for which alternatives are widely available, and in EPS/XPS, when chemical drop-in substitutes are phased in.
- **Section 2.3. Information on alternatives (products and processes)** discusses the current situation where there are currently no commercially or technically viable drop-in chemical alternatives to HBCD as a flame retardant in XPS production and the most common ‘onestep’ EPS manufacturing process.

### • Perfluorooctane Sulfonic Acid & Its Derivatives Guidance on Alternatives to these Chemicals

**14 October 2011:** Executive Summary Extracts

2. The objective of the present study is to summarize what is currently known about alternatives to PFOS, its salts and PFOSF, along with other substances produced where those substances are used as intermediates, and to enhance the capacity of

developing countries and countries with economies in transition to phase out PFOS, its salts and PFOSF taking into account the need for longer phase-in schedules for alternatives for some uses and the fact that for certain uses no alternatives exist.

3. The present paper discusses the various uses of PFOS, its salts and PFOSF as a surfactant in impregnation, coating, metal plating, fire-fighting foams and the like and indicates where alternatives have been suggested, are available or have already been introduced to the market in some countries. Fluorinated or non-fluorinated alternatives exist for nearly all current uses. Available alternatives may not be ideal and are not necessarily economically and technically equivalent to PFOS; they may also pose environmental and health hazards at a certain level.

4. The key to the performance of fluorosurfactants is their extreme stability and low surface tension, which currently cannot be matched by other surfactants.

6. According to the information provided by Germany in 2011, due to the very limited ability of the <C6-bodies to adsorb, it is difficult to remove the chemicals from water. Until now, no method is known. Unfortunately, in water samples from rivers and certain groundwater, the short-chain PFCs can already be detected. Long term studies in the toxicity are not available.

From "Other Outcomes" document "Guidance on Alternatives to PerfluoroOctane Sulfonic Acid and its Derivatives" at: <http://chm.pops.int/Convention/POPsReviewCommittee/POPRCMeetings/POPRC7/POPRC7ReportandDecisions/tabid/2472/Default.aspx>

*Editor's Comment: I am also concerned that eventually the C-C bonds of these fluorinated alternatives will eventually break yielding volatile Fluorocarbons, which will add to Greenhouse gas concentrations over many years into the future.*

## • Pefluorocarbons Formed by Aluminium Smelting

At the Green & Sustainable Chemistry Conference we were alerted by a delegate to Perfluorocarbons being formed by over-voltages of the Carbon Anodes during Aluminium smelting. We were all surprised to find that this occurred.

I have now checked the [Australian Greenhouse Emissions Information System](http://ageis.climatechange.gov.au/) (AGEIS) for 2009 at: <http://ageis.climatechange.gov.au/> for Sector "National Greenhouse Gas Inventory Total - Industrial Processes - Metal Production - Aluminium Production" and Gas "Carbon Dioxide Equivalent - Other - Perfluorocarbons – CF4 & C2F6" and found 307,000 tonnes of CO2 equivalent were emitted. The Trend Graph shows a dramatic reduction in the amount of CF4 emitted in 1992 which had around 3,330,000 tonnes.

## • 2011 Nanoregulation Symposium – 9 Nov 2011

The theme of the symposium was "Fostering collaborative dialogue between nanomaterial regulators and stakeholders".

The event featured prominent national and international speakers who are experts in fields relevant to the regulation of nanomaterials. They included:

- Ms Georgia Miller, Friends of the Earth
- Dr Karin Wiench, Head of Regulatory Toxicology Chemicals II, BASF, Germany
- Dr Philippe Martin, European Commission, Brussels
- Professor Kenneth Dawson, University College Dublin
- Professor Michael Roberts, University of South Australia
- Professor Mike McLaughlin, CSIRO Land and Water

Excerpts from interviews on the APVMA website:

"It's clear that there is huge potential for nanotechnology in a wide range of applications. They will have big effects, I think particularly new materials with new properties and applications in the area of health are going to have very significant potential benefits and therefore it will be important to set up systems to assess risks and ensure they are introduced effectively."

*Professor Ron Johnston, Chair of the Export Forum of the Nationally Enabling Technologies Strategy and Executive Director of the Australian Centre for Innovation.*

"Even if you have the same molecular identity, the same fundamental chemical elements, the fact that you play with their size will have an influence on how they behave.

If you take gold, which we use for jewellery because it's inert, if you make it into the form of small particles, nano-particles of different sizes, gold which normally is yellow becomes blue if it's a nano-particle of one nanometre, it becomes reddish if it's three nanometres and then it actually becomes very reactive, it becomes a catalyst, something that you could really not predict and then if you further increase the size to six nanometres it becomes a beautiful burgundy red colour and loses this reactivity."

*Dr Philippe Martin, Principal Administrator, Health and Consumers Directorate General, European Commission.*

"Friends of the Earth is quite cautious about nano-materials. We do see that their novel properties offer new opportunities for industry, but we are very concerned that the safety science is lagging behind the commercial science and that hundreds of products are reaching the market without appropriate safety assessment. When experts warn that some nano-materials pose similar health risks to asbestos, that's a big concern for us."

*Georgia Miller from Friends of the Earth*

"With nanotechnology, ....., you have access to these intrinsic roadways where if you really understand how to use them, you can absolutely go to interesting places that you need to go to. However, and here it comes back to always the duality of these issues, given that we are dealing with a new technology and we are dealing with new issues, these same pathways, we need to just be

careful when we introduce these new technologies into general use, that that doesn't blindside us and we don't end up with the wrong substance - with very high efficiency - going to the wrong organ."

*Professor Kenneth Dawson, University College Dublin.*

From: [www.apvma.gov.au/news\\_media/events/nanoregulation\\_symposium\\_2011.php](http://www.apvma.gov.au/news_media/events/nanoregulation_symposium_2011.php)

## Chemical Management

### • What Happens for WHS on the 1st January 2012?

Australia will start the new Workplace Health & Safety system (where many Codes will not have been agreed to) but where three States (Tas, Vic, & WA) are delaying their starts by 12 months (or more!). SA & NSW may also delay a bit.

For details see: 9<sup>th</sup> Safe Work Australia communique (8 Dec 2011) at:

[www.safeworkaustralia.gov.au/AboutSafeWorkAustralia/WhatWeDo/Media/Pages/9th-Safe-Work-Australia-Meeting.aspx](http://www.safeworkaustralia.gov.au/AboutSafeWorkAustralia/WhatWeDo/Media/Pages/9th-Safe-Work-Australia-Meeting.aspx)

In late 2010 the ability to finalise and start the new WHS system by 1 Jan 2012 was not regarded as remotely possible by all Hazardous Materials Specialists in industry and this concern was communicated at that time to the Federal and State Authorities, and several times since. I suggested a delay of 6 months for all jurisdictions as sensible.

It is very disappointing to see this problem that our Governments, Federal and State Authorities have brought on industry, workers and the community with their disjointed start to the new Workplace Health & Safety Regulations, due to their lack of understanding the massive effort needed.

By the 1<sup>st</sup> of January 2012 all the Workplace Health & Safety Model Regulations and Finalised Codes will have to be made available from [www.SafeWorkAustralia.gov.au](http://www.SafeWorkAustralia.gov.au) under Publications.

Fortunately in the area of SDSs and Labels for Hazardous Chemicals there are already in place regulations in most States to allow the preparation and use of GHS based SDSs and Labels.

My suggestion for manufacturers and importers of new products, is to prepare GHS based SDSs and Labels where it is easy to do so, and where it is not easy, to wait a year or two for GHS classification information to become available.

We are fortunate that the EU has already been preparing GHS SDS and Labels for single hazardous chemicals for several years and data has started to be available from their REACH process. They will soon start on mixture GHS SDS.

For those of us who Classify and Label hazardous chemical products, it is important that we can demonstrate our competence to Classify and Label to our employers or customers. You will all need to read, understand and discuss the GHS Classification and Labelling of Chemicals book. There are new classification decision logics to understand.

**A key action will be for you to develop a peer specialist group** so that you can compare your classifications and ask questions about difficult to classify substances & mixtures.

- One such group is the UK Chemical Hazard Communication Society (CHCS) in the UK who offer a free email listserv to ask questions and compare issues. This is at: [www.chcs.org.uk/email-forum.htm](http://www.chcs.org.uk/email-forum.htm).

- When needed, we can re-activate the Melbourne based Chemical Hazards Communication Network (CHCN) (email contact [Jeff Simpson](mailto:Jeff.Simpson@haztech.com.au) if this interests you).

- Also the AIDGC is a group of Dangerous Goods specialists who have a strong interest in correct classification. They may be found at: [www.aidgc.org.au/](http://www.aidgc.org.au/)

- Also the RACI has just set up a new Division based around the Health, Safety and Environmental effects of chemicals (HS&E Division), and State groups are currently being set up. Victoria and WA already have such groups (go to [www.raci.org.au](http://www.raci.org.au) for your State contacts).

I expect there will be courses available in 2012 which I will alert you to. E.g. a GHS Classification workshop is proposed on the day before HazMat 2012 in Melbourne.

### • Managing Risks of Hazardous Chemicals

Submissions made to Safe Work Australia in Nov 2011 with significant comments on **Managing Risks of Hazardous Chemicals**.

068 [Croplife Australia Limited](#)

074 [Noel Arnold & Associates](#)

080 [Metropolitan Fire and Emergency Services Board](#)

082 [Master Builders Australia](#)

086 [Haztech Environmental](#)

088 [Victorian Automobile Chamber of Commerce](#)

091 [Plastics and Chemicals Industries Association](#)

104 [Victorian Water Industry Association](#)

111 [Australian Manufacturing Workers' Union](#)

119 [Queensland Council of Trade Unions](#)

127 [Housing Industry Association Ltd](#)

130 [Australian Council of Trade Unions](#)

137 [Australian Chamber of Commerce and Industry](#)

143 [Minerals Council of Australia & Others](#)

From: [www.safeworkaustralia.gov.au/Legislation/PublicComment/Pages/draft-model-WHS-CoP-public-submissions.aspx](http://www.safeworkaustralia.gov.au/Legislation/PublicComment/Pages/draft-model-WHS-CoP-public-submissions.aspx)

[Full list of Draft model Work Health and Safety Codes of Practice public comment submissions](#) (158 as at 11Dec2011)

## • Comment on the Draft SDS & Labelling Codes

The Draft SDS & Labelling Codes were not open for comment. There were significant omissions of relevant changes proposed in previous comment in April 2011.

**An SDS Code Example:** One SDS suggestion I made in April 2011 was the following information to help oversee manufacturers and suppliers to find the key information they need to provide a good quality SDS with only minor discrepancies likely.

### Australian SDS differences may include:

- a/ Australian contact address details; and for Dangerous Goods a 24 hour Emergency Response Number;
- b/ Need to use English names for chemical ingredients, and Possible Different Units of Measurement;
- c/ Non GHS classifications or Non EU Hazardous Substances classifications;
- d/ Disclosure of hazardous ingredients;
- e/ Ingredient composition ranges;
- f/ Exposure Standards;
- g/ Storage to local regulations and Australian Standards;
- h/ Where ingredients are known and the mixture not tested then Tox and Ecotox data is expected for each ingredient that contributes to a classification;
- i/ Local variations to Transport of Dangerous Goods;
- j/ Hazchem Code for Dangerous Goods (but totally irrelevant & misleading for small packages of ≤100kg or L)
- k/ Scheduled Poisons requirements;
- L/ Compliance with Australian Chemical Control systems: NICNAS, APVMA, TGA, FSANZ; Illicit Drug Precursors End User Declarations; Carcinogen Notification / Licensing; Chemicals of Security Concern.

This list is indicative only, to help an SDS preparer gain a perspective of the sort of Australian differences that may arise.

**A Labelling Code Example:** The examples in the Labelling Code do not comply with the preferred minimum letter and minimum pictogram sizes. They should either be actual size labels or clearly indicate percentage of the actual size that they would be if reproduced on an A4 page without any adjustment by the software to fit the data on the page.

Such errors makes industry specialists wonder if anyone on these committees has seriously prepared example labels where there is a lot of information required to be on the smallest packages for each preferred minimum text size.

It is very concerning to see such basic errors continue to exist in what purports to be a Labelling Code!

To help overcome this problem I suggested that: *Where there is insufficient space to use the preferred dimensions, the Precautionary Statements should be first reduced in size to 2.0 mm text size.*

You may still download the updated (but not final) versions of the [Model WHS Regulations](#), the Code for [Labelling of Workplace Hazardous Chemicals](#), and the [Code for Preparation of SDSs](#) for Hazardous Chemicals.

## • GHS Adoption by OSHA is Possible at end Jan 12

The adoption of the GHS by the USA OSHA is possible by the end of January 2012.

MSDSonline has created this 54 slide presentation to help you understand the issues and offer their MSDSonline products as a possible solution. Note: This is for information only and is not an endorsement of MSDSonline.

Go to: <http://blog.msdsonline.com/wp-content/media/presentations/ghswebinarseries.pdf>

## • High Risk Maintenance Activity in Chemical Plants

*Controlling risks in chemical plants during a first line break*

In the last 12 months (to October 2011) there has been a fatality and four separate near-miss incidents at chemical plants in Victoria, when inadequately isolated or decontaminated piping or equipment has been opened up for maintenance and cleaning. In all of these incidents a work permit had been issued but failed to prevent the creation of a significant hazard.

Various control measures, starting with “prior to the first line break, a risk assessment is done that involves both maintenance and operations workers to ensure they are thoroughly aware of the potential worst case physical and chemical hazards involved” are then given.

From: [www.worksafe.vic.gov.au/wps/wcm/connect/29cb8d0048934ad394e5d56c3f70e6d4/Alert\\_high+risk+maintenance+activity.pdf?MOD=AJPERES](http://www.worksafe.vic.gov.au/wps/wcm/connect/29cb8d0048934ad394e5d56c3f70e6d4/Alert_high+risk+maintenance+activity.pdf?MOD=AJPERES)

## • Australian Illicit Drug Data Centre

The AIDDC provides technical intelligence on illicit drugs and precursors in support of law enforcement objectives in order to minimise the availability of illicit drugs and reduce their harm on the Australian community.

From: [www.afp.gov.au/what-we-do/operational-support/aiddc.aspx](http://www.afp.gov.au/what-we-do/operational-support/aiddc.aspx)

## • Australian Chemical, Biological, Radiological and Nuclear Data Centre

The CBRNDC enhanced Australia's capability to prevent, prepare and respond to malicious use of chemical, biological, radiological and nuclear agents within and against Australia and its interests.

From: [www.afp.gov.au/what-we-do/operational-support/australian-chemical-biological-radiological-and-nuclear-data-centre.aspx](http://www.afp.gov.au/what-we-do/operational-support/australian-chemical-biological-radiological-and-nuclear-data-centre.aspx)

## • USA OSHA Laboratory Safety Guidance

This Guidance is relevant for Australian Labs to compare their lab operations to under our performance based regulations in Australia.

The Guidance describes how electrical, fire, explosions and falls, among other hazards, can be minimized or eliminated if employers use safety plans, worker training, engineering controls and personal protective equipment. New laboratory safety materials also include fact sheets that each focus on a specific hazard related to laboratory environments. Practices and precautions to protect laboratory personnel include safety guidance for using autoclaves, use of chemical fume hoods, labelling and transferring chemicals, and latex exposure.

From: [www.osha.gov/Publications/laboratory/OSHA3404laboratory-safety-guidance.pdf](http://www.osha.gov/Publications/laboratory/OSHA3404laboratory-safety-guidance.pdf) (Oct 2011, 52 pages)

## NICNAS (Industrial Chemicals)

### • Transfer of Cosmetic Ingredients to the AICS

NICNAS has decided to include each of the initial 34 chemicals that are eligible, and do not pose an unreasonable risk to occupational health and safety, public health or the environment, in the public section of the Australian Inventory of Chemical Substances (AICS), for cosmetic use only, together with an associated condition of use. These 34 chemicals are listed, with their CAS No.s in both Chemical Gazettes, 1 Nov 2011 & 6 Dec 2011.

Pending any application to the AAT, for review of a decision to include a chemical, NICNAS expects these 34 chemicals to be included in the public section of the AICS in February 2012 (with associated conditions).

For info: Dr [Bill.Diver@nicnas.gov.au](mailto:Bill.Diver@nicnas.gov.au), ph: 02-8577-8862.

From: Dec 2011 Chemical Gazette at [www.nicnas.gov.au](http://www.nicnas.gov.au)

### • NICNAS & Secondary Notification Issues

The improved level of information is to support introducers of assessed chemicals to notify the Director, NICNAS of significantly changed circumstances relative to the original assessment, where a Secondary Notification may be required.

A high proportion of Assessment Reports for new chemicals published on the NICNAS web site do not contain the identity of the assessed chemical as an application for exemption from publication has been submitted and accepted. The record for the chemical on the Australian Inventory of Chemical Substances (AICS) contains the chemical name and number and indicates that the chemical has been assessed; however it is often difficult to know the circumstances of that assessment. If this data is linked this may undermine the confidentiality required.

**Proposal:** For chemicals where the public assessment report contains the proper chemical name (i.e. it has not been exempted from publication), it is proposed that there would be a direct link from the AICS record to the assessment report taking the form of a hyperlink in the AICS record. For other chemicals, certain particulars are not published and the identity of the chemical cannot normally be found in the published report. In these cases, sufficient information will be provided on the AICS record for an introducer to determine the circumstances under which a secondary notification may be required without linking directly to the public assessment report. In both cases there is a statement that Secondary Notification Conditions may apply added to the AICS record.

The proposal contains a number of points for discussion on the above access issues, noting that introducers may not be fully aware of how their chemicals are utilised by downstream users.

In the proposal there is also Guidance On the Meaning of Significant Changes in Circumstances in Attachment 1 and 7 examples of this in Attachment 3. How should introducers of a chemical take steps to make customers aware of circumstances under which secondary notification may be triggered? What can NICNAS do to alert Users that Secondary Notification Conditions have occurred and to contact their Supplier.

Comment by: 29 Feb 2012. to Dr [Bill.Diver@nicnas.gov.au](mailto:Bill.Diver@nicnas.gov.au), ph: 02-8577-8862. The consultation document is at: [www.nicnas.gov.au/Consultations/Proposal\\_To\\_Improve\\_Access\\_To\\_Information.asp](http://www.nicnas.gov.au/Consultations/Proposal_To_Improve_Access_To_Information.asp) or the 23 page pdf at: [www.nicnas.gov.au/Consultations/PROPOSAL%20TO%20IMPROVE%20ACCESS%20TO%20INFORMATION/Post\\_Assessment\\_Obligations\\_Discussion\\_Paper\\_PDF.pdf](http://www.nicnas.gov.au/Consultations/PROPOSAL%20TO%20IMPROVE%20ACCESS%20TO%20INFORMATION/Post_Assessment_Obligations_Discussion_Paper_PDF.pdf)

From: Nov 2011 Chemical Gazette at [www.nicnas.gov.au](http://www.nicnas.gov.au)

## • PEC on HexaBromoCycloDodecane (HBCD)

The HBCD PEC draft assessment report, was *released to the Public on the 24<sup>th</sup> November*. It focusses on its risks associated with its use as a fire retardant in Expanded Polystyrene Resins and in finished plastic articles. About 80% of HBCD is in EPS resin and beads at 0.5-1% and about 20% of HBCD is in Extruded Polystyrene articles at <3% (from p24 of the PEC). Comment closes 22 Dec 2011.

Hexabromocyclododecane (HBCD) CAS No. 25637-99-4 was declared a Priority Existing Chemical (PEC) for a full risk assessment on the 7 June 2005. HBCD is one of a number of PolyBrominated Flame Retardants (PBFs). Overall, the available evidence reviewed in the PEC indicates that HBCD is persistent and very bioaccumulative in the environment.

The PEC makes 6 Recommendations around communicating and managing the risks, and phasing out the use of HBCD in articles. It recommends to the Standing Council for Environment and Water to develop an Action Plan to reduce and eventually eliminate HBCD levels in the Australian environment based on discontinuing HBCD in finished articles and managing the disposal of HBCD containing articles already in Australia, and evaluating the effectiveness of this.

### *Editor's Comments:*

It is interesting that the pure HBCD is classified as Category 1 Environmental hazard for both Acute and Chronic Toxicity (on p203 (in the Report) & page 207 (in their sample MSDS)), **however**, in Section 14 of their Sample MSDS NICNAS do NOT classify it as Class 9 UN 3077 Packing Group III, ENVIRONMENTALLY HAZARDOUS, SUBSTANCE, SOLID, N.O.S (HEXABROMOCYCLODODECANE). For the IMDG Code its must additionally be classified as a Marine Pollutant. Shipping to Tasmania requires UN 3077 & Marine Pollutant!

Under Current Risk Management (p197-201) there is no significant discussion of elimination and substitution, under OH&S, nor of management of wastes containing HBCD. For more information on this see the UN *POPRC7 Report on page in these Notes*.

*The 24 Nov 2011 Draft is available from:*

[www.nicnas.gov.au/Consultations/HBCD\\_draft\\_for\\_public\\_comment\\_PDF.pdf](http://www.nicnas.gov.au/Consultations/HBCD_draft_for_public_comment_PDF.pdf) (323 pages)

[http://www.nicnas.gov.au/Consultations/Draft\\_Overview\\_Recommendations\\_HBCD\\_PDF.pdf](http://www.nicnas.gov.au/Consultations/Draft_Overview_Recommendations_HBCD_PDF.pdf) (9 page Overview)

## • NICNAS Annual Report 2010-11

This is an important report as it discusses the scope and areas of work being done by NICNAS.

Some areas that caught my attention in the Report are:

- Introduction of new administrative regulatory arrangements for the pre-market assessment of new industrial Nanomaterials from 1 January 2011. (page 5)
- Development of a risk-based framework for assessing and prioritising human health and environmental impact of unassessed chemicals on the Australian Inventory of Chemical Substances. (page 5)

The first stage, expected to commence in 2012-13, will focus on about 3,000 chemicals on AICS that meet characteristics identified by stakeholders as priorities for consideration early in the project. This stage is also expected to include an external review to help decide the process to address the remainder of the chemicals on AICS. This stage should take four years. (page 44)

- Establishment of formal relationships with two counterpart agencies overseas (The United States Food and Drug Administration and the European Chemicals Agency) to facilitate work sharing arrangement and cooperation on chemical assessment and management issues. (page 5)

- The NICNAS Priority Projects are listed on page 6.

*Editor:* These help us to understand how we might better regulate NICNAS chemicals to best meet the needs of the Australian community (including industry & other Authorities). See my comments in the next Note on "Better Regulation"

- NICNAS undertook technical verification of 183 cosmetics related chemicals nominated by industry through calls for information against specific criteria (see Consultation and communication). (page 50)
- NICNAS assessment teams continued to evaluate hazard information on four specific Nanoforms of existing chemicals: Silver, Zinc Oxide, Cerium Oxide and Titanium Dioxide. NICNAS made a hazard assessment and hazard classification of Carbon Nanotubes using published information on behalf of Safe Work Australia. (page 54)
- Key issues for stakeholders included: Perfluorinated Chemicals; Formaldehyde in Cosmetics; Fracking Chemicals; Lead Compounds in Industrial Inks and Surface Coatings; Cosmetics from Japan (in relation to the Fukushima nuclear power plant incident). (p55-57)
- Naturally-Occurring Chemicals – Definition Guidance (p58).

*From:* [www.nicnas.gov.au/Publications/Annual\\_Reports/AR\\_2010-2011\\_PDF.pdf](http://www.nicnas.gov.au/Publications/Annual_Reports/AR_2010-2011_PDF.pdf)

## • Better Regulation of Industrial Chemicals

I have made several comments which come under:

1/ the role and functions of NICNAS as set out in the Act and the extent to which they adequately reflect stakeholder expectations and international best practice, having regard to the broader context of chemicals regulation in Australia;

3/ the efficiency and effectiveness of NICNAS' operating arrangements and business processes, with particular regard to the protection of human and environmental health, the management of risk, and compliance costs for business; and

4/ any implications for the resourcing of functions currently cost recovered, should the review recommend changed responsibilities.

Information about the review may be obtained from:

[www.health.gov.au/internet/ministers/publishing.nsf/Content/mr-yr11-ck-ck037.htm](http://www.health.gov.au/internet/ministers/publishing.nsf/Content/mr-yr11-ck-ck037.htm)

[www.health.gov.au/internet/main/publishing.nsf/Content/ohp\\_nicnas\\_review.htm](http://www.health.gov.au/internet/main/publishing.nsf/Content/ohp_nicnas_review.htm)

## Jeff Simpson's Comments (in brief):

**a/** There is a need to help the community have very "green" and sustainable chemicals introduced so that the chemicals with HS&E issues on the AICS may be phased out. For small companies the cost to notify such chemicals is prohibitive compared to the amount of income these chemicals can recover in the 5 years until they are added to the AICS. This has meant many such chemicals have NOT been introduced over the last 20 years. We need to fund the NICNAS costs to companies with such products as the reduced HS&E costs to the community would fund this.

**b/** Where a chemical has already been evaluated by an equivalent authority overseas, then as long as the report is prepared to a similar quality, and there are no critical high HS&E hazards, there should only be minimal administrative costs for industry to have this chemical added to the inventory, and have a shorter exclusive period of two or three years of use for the notifying company.

**c/** Consider introducing the approach that New Zealand EPA uses which allows hazardous chemicals in hazardous chemical mixtures to enter NZ, provided the hazardous chemical mixture fits into one of the NZ HSNO Group Standards, with the agreed controls advised in SDSs, then the hazardous chemicals are just added to the NZ inventory, with no further cost. It is only when the hazardous chemical is imported in its concentrated form or there is no Group Standard for a mixture that a notification review is required, but it is a much less expensive review compared to NICNAS. Where a chemical does not classify as Hazardous to the GHS criteria it is not restricted nor required to be on the NZ Inventory.

**d/** It needs to be clear we have a Chemical Inventory that has CAS No.s rather than a CAS No. Inventory.

I suggest that NICNAS needs to be explicitly authorised to add existing specific chemicals and their new CAS Nos. to the AICS where they are already covered by a generic entry or a mixture entry. Also, where Notification costs have already occurred, the companies be refunded both their NICNAS fee costs and their internal costs to prepare their unnecessary notification.

**e/** NICNAS is the only State or Federal Authority in Australia with clear knowledge of how to classify hazardous industrial chemicals. When industry, SDS writers. or State Authorities find a difficult classification to determine there should be a fee-for-service arrangement for NICNAS to provide such classification advice.

**f/** The Cosmetic (<1%) Exemption, covers formulated products delivered from overseas with <=1% of an ingredient not on the AICS that meets all the Notification requirements. This advantages overseas formulation!

*Suggested Action:* To allow a similar category for locally manufactured cosmetics, so that ingredients used at <=1% in final formulations, meet the NICNAS Criteria but are not on the AICS are also allowed with the same reporting. The additional requirement would be to ensure these <1% ingredients are traceable to the final cosmetic product they are used in, so they are not inadvertently (or otherwise) used in other cosmetics at >1% or used in other industrial products at any non-exempt amount.

**g/** The NICNAS name does not cover its scope: It should be renamed ACRES

Now that the scope of NICNAS is has been widened from industrial chemicals to cover cosmetics and disinfectants I suggest we need to rename NICNAS as ACRES – Australian Chemical Registration and Evaluation Scheme.

The ACRES name better describes the full scope of chemicals not covered under the TGA, APVMA and FSANZ chemical control schemes, better fits the type of activity now being undertaken by NICNAS, and better matches other international chemical control schemes such as the EU REACH (Registration, Evaluation and Authorization of Chemicals).

## • NICNAS Draft Cost Recovery Impact Statement

Comment closed on the 30 Nov 2011, but it is still interesting to read as it picks up on NICNAS's work plan which may affect your company:

- better alignment of fees with the costs associated with delivering the services,
- amending the annual registration charge tier structure to provide a more equitable structure; and
- recovering the cost of stage one of the accelerated assessment and prioritisation of existing chemicals.

There is proposed to be a significant increase in Annual Fees for those with an Introduction Value over \$5M from \$9,201 for 2011-12 to \$20,350 for 2015-16 which directly relates to the increased costs of stage one of the accelerated assessment and prioritisation of existing chemicals.

The other significant proposed change is to have an extra tier of \$1 to \$99,999 which will have a reduced Annual Fee from 2013-14 of \$133 from the current \$395.

From: [www.nicnas.gov.au/Current\\_Issues/CRIS/Draft%20CRIS%20-%20AT%20A%20GLANCE.pdf](http://www.nicnas.gov.au/Current_Issues/CRIS/Draft%20CRIS%20-%20AT%20A%20GLANCE.pdf)

From: [www.nicnas.gov.au/Current\\_Issues/CRIS.asp](http://www.nicnas.gov.au/Current_Issues/CRIS.asp)

*Editor's Comment:* The input received under Better Regulation of industrial Chemicals Review may change the way costs are recovered.

- **Australia & Canada Cooperative Arrangement**

November 2011: NICNAS, Environment Canada, and Health Canada signed a new Cooperative Arrangement to enhance technical cooperation and share information on both new and existing industrial chemicals.

This Cooperative Agreement now extends the Arrangement that was in place earlier to also include existing chemicals.

“The key objective of this Co-operative Arrangement is to achieve efficiencies of resources in new and existing industrial chemical reviews, for the Participants to gain increased knowledge of each other’s risk assessment and management approaches and practices, facilitate exchange of operational experience to strengthen regulatory capacities on mutual interest matters and to lead to greater harmonisation where appropriate with the aim of protecting human health and the environment.”

From: [www.nicnas.gov.au/International/HC\\_EC\\_NICNAS\\_Cooperative\\_Arrangement\\_2011\\_PDF.pdf](http://www.nicnas.gov.au/International/HC_EC_NICNAS_Cooperative_Arrangement_2011_PDF.pdf)

## Food Chemical Issues

- **A1047– Sodium Carboxymethylcellulose as a Food Additive in Wine**

Sodium Carboxymethylcellulose (Sodium CMC) as an additive in wine and sparkling wine stabilises them by inhibiting Tartrate crystal formation and subsequent precipitation which can cause cloudiness and sediment formation and make the wine undesirable to drink. Sodium CMC is intended to be used as an additional tool, rather than as a replacement for existing tartrate crystal control methods.

It was inserted into Standards 1.3.1 & 4.5.1 on 17 Nov 2011.

From: [www.foodstandards.gov.au/foodstandards/applications/applicationa1047sodi4816.cfm](http://www.foodstandards.gov.au/foodstandards/applications/applicationa1047sodi4816.cfm)

- **A1054: Dibromo-Dimethylhydantoin (DBDMH) as a Processing Aid**

The Applicant seeks to permit the use of Dibromo-Dimethylhydantoin (DBDMH as an antimicrobial washing agent to treat all foods, although its primary use is likely to be to treat meat and poultry carcasses, parts, trim, organs, hides and heads, and to treat water in ice-making systems.

When added to water, DBDMH hydrolyses to form Hypobromous Acid, which is the active compound that possesses antimicrobial activity. Hypobromous Acid kills bacteria present on the surface of food. It is claimed to be effective against *Escherichia coli 0157:H7* and *Salmonella*.

The Code contains permission for a similar antimicrobial washing agent, the Halohydantoin, Bromo-Chloro-Dimethylhydantoin (BCDMH) to treat all foods, in the Table to clause 12 of Standard 1.3.3.

Comment by 18 Dec 2011: [submissions@foodstandards.gov.au](mailto:submissions@foodstandards.gov.au)

From: [www.foodstandards.gov.au/foodstandards/applications/applicationa1054dibr4947.cfm](http://www.foodstandards.gov.au/foodstandards/applications/applicationa1054dibr4947.cfm)

- **A1061 – Amylomaltase Processing Aid (Enzyme)**

The proposed use of the enzyme is to produce modified potato starch by converting Glucose units from Amylose to Amylopectin. The Applicant claims the modified potato starch has excellent thermo-reversible gelling properties and may be used as a replacement for fat and casein and other fat and casein substitutes in food. Typical applications in which the modified potato starch is proposed to be used as an ingredient include yoghurts and yoghurt drinks, ice cream, cheese analogues and low fat spreads. The production organism (*B. amyloliquefaciens*) has a history of safe use in production of enzyme processing aids.

Comment by 22 Dec 2011: [submissions@foodstandards.gov.au](mailto:submissions@foodstandards.gov.au)

From: [www.foodstandards.gov.au/foodstandards/applications/applicationa1061amy15193.cfm](http://www.foodstandards.gov.au/foodstandards/applications/applicationa1061amy15193.cfm)

- **A1039 - Low THC Hemp as a Food**

The Application seeks approval for the use of the seed and seed products of *Cannabis Sativa*, with low levels of delta 9-tetrahydrocannabinol (THC) as food. Standard 1.4.4 – Prohibited and Restricted Plants and Fungi in the *Australia New Zealand Food Standards Code* (the Code) prohibits all species of *Cannabis* from being added to food or sold as food in Australia and New Zealand.

Varieties of *C. Sativa* that contain no, or very low levels of THC, are commonly referred to as hemp, industrial hemp or industrial cannabis. Hemp has typically been used for industrial purposes, such as textiles, fibres, paper, building materials (fibrous parts of plant) and also as a food source (seeds).

Certain hemp products are legitimately marketed in Australia and New Zealand, including fibres, textiles, paper, building materials and cosmetics for external use. Hemp seed oil is permitted to be sold as a food in New Zealand (under a New Zealand standard), but other hemp food products remain subject to the prohibition in Standard 1.4.4.

FSANZ is satisfied that the conclusions of the safety assessment for A360 remain valid and that low THC hemp foods are safe for consumption.

FSANZ proposes that hemp seeds should only be approved for food use IF they are hulled and are non-viable. Hemp seed products, such as flour, protein powder, oil and beverages should also be permitted. Hulled hemp seeds are readily distinguishable from whole seeds and are likely to be non-viable due to the removal of the outer hull of the seed.

The majority of submissions to Consultation Paper released in March 2011 were in support of the approval of hemp foods in Australia and New Zealand.

Comment by 1 Feb 2012: [submissions@foodstandards.gov.au](mailto:submissions@foodstandards.gov.au)

From: [www.foodstandards.gov.au/foodstandards/applications/applicationa1039lowt4708.cfm](http://www.foodstandards.gov.au/foodstandards/applications/applicationa1039lowt4708.cfm)

## • FAO JECFA Food Additive Monographs

I recently discovered that the pdfs of the Joint FAO/WHO Expert Committee on Food Additive monographs can be downloaded for free.

10 [www.fao.org/docrep/013/i1782e/i1782e.pdf](http://www.fao.org/docrep/013/i1782e/i1782e.pdf)

7 <ftp://ftp.fao.org/docrep/fao/012/i0971e/i0971e00.pdf>

5 <ftp://ftp.fao.org/docrep/fao/011/i0345e/i0345e.pdf>

4 <ftp://ftp.fao.org/docrep/fao/010/a1447e/a1447e.pdf>

3 <ftp://ftp.fao.org/docrep/fao/009/a0675e/a0675e00.pdf>

1a <ftp://ftp.fao.org/docrep/fao/009/a0691e/a0691e00a.pdf>

1b <ftp://ftp.fao.org/docrep/fao/009/a0691e/a0691e00b.pdf>

1a & 1b contains all specifications monographs from the 1st to the 65th meeting (1956–2005)

From: [www.fao.org/ag/agn/agns/jecfa\\_output\\_en.asp](http://www.fao.org/ag/agn/agns/jecfa_output_en.asp)

## Agricultural & Veterinary Chemicals

### • Better Regulation of Ag & Vet Chemicals

The draft legislation is aimed at improving the efficiency of regulation, enhancing the APVMA's ability to operate and ultimately, increasing the effectiveness of chemical regulation.

The legislation and supporting information is available on the DAFF website, with consultation closing on **29 February 2012**.

Following previous consultation the government has developed a number of legislative and administrative reforms to its management of agricultural and veterinary chemicals.

The amendments are aimed at:

- providing a transparent and comprehensive risk framework to deliver more predictable outcomes
- providing a more efficient way to look at 'chemicals of concern'
- modernising the APVMA's compliance & enforcement powers
- using the science and studies from overseas to their full extent
- establishing an independent science panel; to report progress with reviews and registrations and the assessment of chemicals according to risk
- improving the APVMA's operational & administrative functions.

[Draft Agricultural and Veterinary Chemicals Legislation Amendment Bill 2011](#) (216 page pdf)

[Explanatory guide to the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2011](#) (56 page pdf)

In general terms, the reforms aim to encourage the development of modern and safer chemicals, through cutting unnecessary red tape for business. The reforms also aim to reduce the backlog of chemicals requiring review and remove disincentives for companies to invest in cutting edge technologies. The reforms also enhance the APVMA's business and operational functions.

The reforms would result in a more straightforward assessment process that is easier to understand and more cost effective to administer. In many cases, particularly for low risk products, the reformed system as established by these amendments may be faster, would deliver more predictable outcomes and should also result in improved health and environmental protection for the broader community.

[Better regulation of agricultural and veterinary chemicals Regulation Impact Statement](#) (48 page pdf)

[Frequently asked questions](#) at:

[www.daff.gov.au/\\_data/assets/pdf\\_file/0004/2045857/agvet-faqs.pdf](http://www.daff.gov.au/_data/assets/pdf_file/0004/2045857/agvet-faqs.pdf) (6 page pdf)

For Details: [www.daff.gov.au/agriculture-food/ag-vet-chemicals/better-regulation-of-ag-vet-chemicals](http://www.daff.gov.au/agriculture-food/ag-vet-chemicals/better-regulation-of-ag-vet-chemicals)

Comment to [agvetreform@daff.gov.au](mailto:agvetreform@daff.gov.au) closes 29<sup>th</sup> Feb 2012. Ph: 02-6272-3363

From: [www.apvma.gov.au/news\\_media/news/2011/2011-11-16\\_draft\\_legislation\\_consultation.php](http://www.apvma.gov.au/news_media/news/2011/2011-11-16_draft_legislation_consultation.php)

## • Diuron Suspended in order to Protect Waterways

28 Nov 2011: The APVMA suspended the use of Diuron in high risk situations to protect aquatic ecosystems.

Diuron is used for the control of both broadleaf and grass weeds in agriculture. It is also used to control weeds and algae in and around water bodies. The suspension affects approximately two thirds of the 101 Diuron products currently registered.

The suspension addresses a major concern, which is the risk of Diuron runoff into waterways.

Effective until 31 Mar 2012 – Diuron use is prohibited on:

- on tropical crops (sugarcane, tea, bananas, pineapples, coffee and paw paw) during the defined no-spray period
- in irrigation channels, drains, industrial and non-agricultural situations until 31 March 2012.

New use instructions are being issued for the suspension period, including additional restrictions designed to minimise run-off.

From: [www.apvma.gov.au/news\\_media/media\\_releases/2011/mr2011-06.php](http://www.apvma.gov.au/news_media/media_releases/2011/mr2011-06.php)

## • APVMA Risk Analysis Framework – Draft

24 Nov 2011: The Draft Framework describes the APVMA's approach to risk analysis that forms the basis for the scientific evaluation process and regulatory decision making. It is written for those with an interest in the risk assessment and risk management practices that underpin the work of the APVMA and external agencies and experts the APVMA seeks advice from.

In publishing this document, the APVMA recognises that methods for the analysis of risks for AgVet chemicals are continually being developed and refined both nationally and internationally. Therefore this document will be reviewed and revised from time to time to reflect best practice.

A new AgVet chemical will only be registered for use by the APVMA if the data considered during the risk assessment demonstrate that it works as intended, and that when used as directed on the product label it will have no harmful effects on people, animals, the environment or international trade.

Once an AgVet chemical has been registered, the APVMA monitors any information that may become known about the chemical and conducts reviews when concerns are raised about product safety or effectiveness. The review of a chemical may result in confirmation of its registration, it may see registration continue with some changes to the way the chemical can be used, or it may result in the registration of a chemical being cancelled and products taken off the market.

The Framework considers:

- protecting human health
- protecting plants, animals and the environment
- protecting Australia's international trade in agricultural commodities
- verifying the effectiveness of AgVet chemical products
- assuring the quality of AgVet chemical products.

Document: [www.apvma.gov.au/consultation/docs/draft\\_risk\\_analysis\\_framework\\_20111125.pdf](http://www.apvma.gov.au/consultation/docs/draft_risk_analysis_framework_20111125.pdf) (50 page pdf)

*Editor:* For community, industry, farmers and Authorities this is an important document to read and understand as it sets the agenda for what is or is not acceptable. Until we have worked with it we will not really know if it needs amendment.

*Comment to:* [BetterRegulation@apvma.gov.au](mailto:BetterRegulation@apvma.gov.au) by 18 Jan 2011. Enquiries ph: 02-6210-4700.

From: [www.apvma.gov.au/consultation/public/risk\\_analysis\\_framework.php](http://www.apvma.gov.au/consultation/public/risk_analysis_framework.php)

## • New Agricultural Active Constituents (1)

APVMA, Chemistry Manager, Pesticide Program, John Hughes ph: 02-6210-4936, fax: 02-6210-4830, email: [John.Hughes@apvma.gov.au](mailto:John.Hughes@apvma.gov.au) or [Pesticides@apvma.gov.au](mailto:Pesticides@apvma.gov.au).

### Saflufenacil

Saflufenacil is a herbicide used for the control of broadleaf weeds prior to establishment of crops, or in commercial or industrial areas. Belonging to the Pyrimidindione class of herbicides it acts as a ProtoPorphyrinogen Oxidase (PPO) inhibitor & subsequently interferes with the Chlorophyll biosynthetic pathway through a membrane disruption process.

Chemical Name: 2-Chloro-5-[3,6-Dihydro-3-Methyl-2,6-Dioxo-4-(Trifluoromethyl)-1(2H)-Pyrimidinyl]-4-Fluoro-N-[[Methyl(1-Methylethyl)Amino]Sulfonyl]Benzamide; CAS Number: 372137-35-4; Minimum Purity: 945 g/kg; Formula: C<sub>17</sub>H<sub>17</sub>ClF<sub>4</sub>N<sub>4</sub>O<sub>5</sub>S; MW: 500.85; Chemical Family: Pyrimidindione; Mode of Action: Group G Herbicide.

NDPSC has considered Saflufenacil active constituent to be appropriate for inclusion in Schedule 7 of the SUSMP, with an exception noted for water dispersible granule formulations recommended for entry in Schedule 5.

The APVMA is satisfied that the proposed importation and use of Saflufenacil would not be an undue toxicological hazard to the safety of people exposed to it during its handling and use.

Public Comment is open until 3 Jan 2012: [www.apvma.gov.au/consultation/public/saflufenacil.php](http://www.apvma.gov.au/consultation/public/saflufenacil.php)

From: [www.apvma.gov.au/publications/gazette/2011/24/gazette\\_2011-12-06\\_page\\_14.pdf](http://www.apvma.gov.au/publications/gazette/2011/24/gazette_2011-12-06_page_14.pdf)

*Editor's Note:* There is no comment made by the APVMA that it is satisfied that there is no undue environmental hazard.

- **Noxious & Environmental Weed Control Handbook**

NSW Dept of Primary Industries guide to weed control in non-crop, aquatic and bushland situations, 5<sup>th</sup> Edition. (88 pages)

Go to: [www.dpi.nsw.gov.au/data/assets/pdf\\_file/0017/123317/Noxious-and-environmental-weed-control-handbook.pdf](http://www.dpi.nsw.gov.au/data/assets/pdf_file/0017/123317/Noxious-and-environmental-weed-control-handbook.pdf)

From: [www.dpi.nsw.gov.au/agriculture/pests-weeds/weeds](http://www.dpi.nsw.gov.au/agriculture/pests-weeds/weeds)

## Dangerous Goods

- **Corrected and More Usable ADG Code 7<sup>th</sup> Edition**

There is a more user friendly version for download with the known corrections included and fully hyperlinked and indexed. Download this from: [www.ntc.gov.au/viewpage.aspx?Areald=35&DocumentId=1147](http://www.ntc.gov.au/viewpage.aspx?Areald=35&DocumentId=1147)

**Note:** If you downloaded this ADG7 file in the first week of it being "fixed", at the start of November, it wasn't properly fixed, and you will need to re-download it again!

In 2012 it is expected that the Code will be updated to reasonably align with UN16, and possibly UN 17 as well.

From: [www.ntc.gov.au/viewpage.aspx?Areald=35&DocumentId=1147](http://www.ntc.gov.au/viewpage.aspx?Areald=35&DocumentId=1147) and my various Dangerous Goods contacts.

- **Transport of Dangerous Goods Maintenance Group**

The Transport of Dangerous Goods Maintenance Group exists to assist the NTC to monitor the effectiveness of its transport of dangerous goods reforms and to maintain the reforms to ensure that they remain contemporary and fulfil the needs of all stakeholders.

Its membership consists of the NTC, the Competent Authority in each State and Territory for the transport of dangerous goods, and the Commonwealth Department of Infrastructure and Transport.

The Group will consider any requests that are made for changes to the Australian Code for the Transport of Dangerous Goods by Road and Rail, or the model laws that provide the basis for the framework that supports that Code.

The 4 page [Terms of Reference \(Sept 2011\)](#) cover these points and procedures in more detail.

From: [www.ntc.gov.au/viewpage.aspx?documentid=2227](http://www.ntc.gov.au/viewpage.aspx?documentid=2227)

- **Victoria: Storage & Handling of Dangerous Goods**

Advice for occupiers of sites storing and handling Dangerous Goods on the requirement to notify WorkSafe Victoria when quantities exceed manifest levels.

From: [www.worksafe.vic.gov.au/wps/wcm/connect/wsinternet/worksafe/home/forms+and+publications/publications/more+information+about+storage+and+handling+of+dangerous+goods](http://www.worksafe.vic.gov.au/wps/wcm/connect/wsinternet/worksafe/home/forms+and+publications/publications/more+information+about+storage+and+handling+of+dangerous+goods) (Dec 2011).

*Editor's Comment:* Large Dangerous Goods sites and Dangerous Goods tankers are currently being audited.

- **IMDG Code 2010 – Mandatory from 1 Jan 2012**

The International Maritime Dangerous Goods (IMDG) Code 2010 (Amdt 35-10) is mandatory to use from 1 Jan 2012.

Compared to ADG7 there are extra UN No.s 3482 to 3495 which cover: Hydrazine Aqueous >37%; four Calcium Hypochlorite forms; six Toxic by Inhalation Liquids; Iodine; Batteries Nickel-Metal Hydride; three Petroleum Sour Crude Oil, Flammable, Toxic; and two other entries.

The IMDG Code 2010, and Supplement 2010 (which includes Packing Procedures, etc) can be ordered in Australia from: Boat Books Australia Pty Ltd, [www.boatbooks-aust.com.au](http://www.boatbooks-aust.com.au), Sydney ph: 02- 9439-1133, Melbourne ph: 03-9525-3444, Brisbane ph: 07- 3229-6427, e: [boatbooks@boatbooks-aust.com.au](mailto:boatbooks@boatbooks-aust.com.au).

The IMDG Code 2010 can also be ordered direct from:

[www.imo.org/Publications/IMDGCode/Pages/Default.aspx](http://www.imo.org/Publications/IMDGCode/Pages/Default.aspx)

- **Purchasing the IATA Regulations**

The International Air Transport Association (IATA) Dangerous Goods Regulations 2012, which is used from the 1<sup>st</sup> of Jan 2012, are available in Australia from: Marair Freight, [www.marair.com.au](http://www.marair.com.au), email: [Admin@marair.com.au](mailto:Admin@marair.com.au) Melbourne ph: 1800-677-721 or 03-9335-2699.

The IATA DG Regs 2012 can also be ordered direct from:

[www.iata.org/ps/publications/dgr/pages/manuals.aspx](http://www.iata.org/ps/publications/dgr/pages/manuals.aspx).

- **WA Dangerous Goods Reforms and Costs**

Proposed Fee increases were confirmed by WA Cabinet on 19 Sept 2011. It is Government policy to recover the cost of services provided from the recipients of those services. In the case of dangerous goods safety, there is a component of services and activities that cannot be attributed to licence holders and other fee payers, and this will continue to be funded by Government.

Overall, Dangerous Goods fee revenue will increase from about \$2m per annum to about \$5m per annum, representing about 60 per cent cost recovery overall.

Some individual fees will rise by a lot more than the overall 150% increase proposed. The indicative fees are on page 2 of the pdf. These very large fee increases have been reacted to strongly by industry.

These changes reflect the transition to full-cost recovery. DMP is also in the process of reforming the dangerous goods licensing and fees structure to ensure efficiencies and minimise red tape for affected businesses.

From: [www.dmp.wa.gov.au/documents/Misc/RSD\\_SafetyReform\\_DGS\\_FAQs.pdf](http://www.dmp.wa.gov.au/documents/Misc/RSD_SafetyReform_DGS_FAQs.pdf)

## **Proposed basis for future dangerous goods safety**

**licence fees:** [www.dmp.wa.gov.au/documents/Misc/RADARS\\_DGS\\_IS\\_LicenceFees.pdf](http://www.dmp.wa.gov.au/documents/Misc/RADARS_DGS_IS_LicenceFees.pdf) (14 Oct 2011)

From: [www.dmp.wa.gov.au/11173.aspx](http://www.dmp.wa.gov.au/11173.aspx)

## • **NZ Land Transport Rule D. Goods Amdmt 2011**

Amends the *New Zealand Land Transport Rule: Dangerous Goods 2005* and sets in place a regime to enable Dangerous Goods to be transported safely.

From: [www.nzta.govt.nz/resources/rules/dangerous-goods-amendment-2011.html](http://www.nzta.govt.nz/resources/rules/dangerous-goods-amendment-2011.html)

## **Environmental Notes on Chemicals**

### • **Interim Report: Impact of Mining Coal Seam Gas**

Senate Interim report: the Impact of Mining Coal Seam Gas on the Management of the Murray Darling Basin, Nov 2011.

There is an interesting range of information to help us all to understand the issues, plus 24 recommendations. Three recommendations directly relate to chemicals management:

**Recommendation 9:** 2.85 The committee recommends that it be a requirement of all exploration or production approvals that the fluids, extracted from wells after fracking are kept isolated in secure separate storages and prior to disposal, are treated to the highest standards.

**Recommendation 10:** 2.96 The committee recommends that the Commonwealth provide funds to NICNAS to enable that organisation to undertake a comprehensive review of the chemicals used in fracking, having particular regard to the quantities, combinations of chemicals and the way in which these chemicals are used and to confirm safe levels for their use. This study should be completed within the next two years. The Commonwealth and state governments should act promptly to ensure all fracking activities comply with any NICNAS recommendations.

**Recommendation 15:** 3.74 The committee recommends that all salt and brine residues that cannot be disposed of within the short term, either as part of an industrial process or by safe injection into a suitable aquifer, should be required to be removed from agricultural areas and water catchments. No controlled landfills for the disposal of salt should be permitted in the Murray-Darling Basin.

From: [www.aph.gov.au/senate/committee/rat\\_ctte/mdb/interim\\_report/index.htm](http://www.aph.gov.au/senate/committee/rat_ctte/mdb/interim_report/index.htm)

From: [www.aph.gov.au/senate/committee/rat\\_ctte/mdb/interim\\_report/report.pdf](http://www.aph.gov.au/senate/committee/rat_ctte/mdb/interim_report/report.pdf) (126 pages)

### • **Sydney Household Chemical CleanOut**

Dates for household chemicals collection Feb - June 2012.

From: [www.environment.nsw.gov.au/households/CleanoutGuide.htm](http://www.environment.nsw.gov.au/households/CleanoutGuide.htm)

### • **Life Cycle Mapping Tool**

Sustainability Victoria, as part of its *Adopting Life Cycle Thinking* program, has developed this online Life Cycle Mapping tool which will help businesses map out their operations and processes, identify key environmental impacts, and prioritise the best strategies to achieve cost-effective sustainable improvements.

[www.resourcesmart.vic.gov.au/documents/life\\_cycle\\_tool.pdf](http://www.resourcesmart.vic.gov.au/documents/life_cycle_tool.pdf)

From: [www.resourcesmart.vic.gov.au/for\\_businesses\\_5116.html](http://www.resourcesmart.vic.gov.au/for_businesses_5116.html)

## **Standards & Codes**

### • **Standards – [www.saiglobal.com/shop](http://www.saiglobal.com/shop)**

**AS 5239-2011: Examination of ignitable liquids in fire debris.** Published 5 Dec 2011. ISBN 978-0-7337-9987-7, 31 pages. \$81.49 pdf, \$90.54 hardcopy.

**BS EN 60695-7-2:2011: Fire hazard testing. Toxicity of fire effluent. Summary & relevance of test methods.** Published 30 Nov 2011. 52 pages. \$264.97 hardcopy.

**BS EN 60695-7-3:2011: Fire hazard testing. Toxicity of fire effluent. Use & interpretation of test results.** Published 30 Nov 2011. 38 pages. \$218.38 hardcopy.

[DD ISO/TS 12805:2011](#): Nanotechnologies. Materials specifications. **Guidance on specifying nano-objects**. Published 30 Nov 2011. 32 pages. \$110.65 hardcopy.

**AS/NZS 5026: The Storage & Handling of Class 4 Dangerous Goods**. *The final Committee ballot on this Standard is in Dec 2011.* This Standard will follow a risk assessment protocol in order to manage the large range of different reactive hazard Dangerous Goods, covered under Division 4.1 Flammable Solids; Division 4.2 Spontaneously Combustible and Self Heating Solids; and Division 4.3 Dangerous When Wet. *Expected to be published in Feb 2012.*

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

*Note:* The method for submission of comment on draft documents is to register & fill in an online form via Standards Hub Website. Instructions and examples of comment submission are available on the website. Use the link

<https://www.hubstandards.org.au/hub/public/listOpenCommentingPublication.action>

*Note:* Comment must be via Hub, any emails or forms sent to Standards Australia by fax or mail will not be considered by the Committee when it reviews the Public Comment received.

[DR AS/NZS 60079.20.1 CP](#) **Explosive atmospheres - Material characteristics for gas and vapour classification - Test methods and data**

It describes a test method intended for the measurement of the maximum experimental safe gaps (MESG) for gas or vapour-air mixtures under normal conditions of temperature & pressure so as to permit the selection of an appropriate group of equipment. It describes also a test method intended for use in the determination of the auto-ignition temperature of a chemically pure vapour or gas in air at atmospheric pressure.

This Standard is identical with, & has been reproduced from IEC 60079-20-1, Ed.1.0 (2010). Comment closes 4 Jan 2012.

[11/30250744 DC](#): BS EN ISO 17380. Soil quality. Determination of Total Cyanide & easily Liberatable Cyanide. Continuous-flow analysis method. Draft Published 17 Oct 2011. 24 pages. \$29.12 hardcopy.

[ISO/DIS 19701](#): Methods for Sampling and Analysis of Fire Effluents. Draft Published 25 Oct 2011. 114 pages. \$99.29 pdf, \$110.33 hardcopy.

[ISO/DIS 9038](#): Determination of Sustained Combustibility of Liquids. Draft Published 17 Nov 2011. 9 pages. \$66.87 pdf, \$74.30 hardcopy.

## Seminars, Conferences

- **Nuclear Safety: in Theory & Practice, 20 Feb 12**

*Speaker Mr Paul Bird, North Melbourne 6-8pm, \$10, contact:*

[mmradojkovic@gmail.com](mailto:mmradojkovic@gmail.com): From: [www.engineersaustralia.org.au/events/nuclear-safety-theory-and-practice](http://www.engineersaustralia.org.au/events/nuclear-safety-theory-and-practice)

- **Ecoforum Conference & Exhibition, 7-9 Mar 12**  
**Australian Technology Park, Sydney NSW.**

Conference Streams: Land and groundwater remediation; EcoWaste; Mine water management; Water cycle sustainability; Climate change response; Business of sustainability in the Asian century; Sustainable engineering; Sustainable cities; EcoCommunications.

From: [www.ecoforum.net.au/2012/](http://www.ecoforum.net.au/2012/)

- **ChemCon – Europe 2012: 5-9<sup>th</sup> March, Spain**

A key chemical regulations and trade conference.

From: [www.chemcon.net/](http://www.chemcon.net/)

- **Safety In Action, 17-19 April 2012, Melbourne**

From: [www.safetyinaction.net.au/safety-in-action-melbourne](http://www.safetyinaction.net.au/safety-in-action-melbourne)

- **HazMat 2012, Melbourne, 9-10 May 2012, Melb**

HazMat 2012 will be held in Melbourne (at the Darebin Arts Centre), on 9&10<sup>th</sup> May 2012. The HazMat 2012 Conference Exhibition Booth & Sponsorship brochure is available at: [www.fpaa.com.au/events/?events=hazmat](http://www.fpaa.com.au/events/?events=hazmat).

The HazMat Program will be available late January 2012.

*Please contact Events Department, FPAA,*

*ph: 03-9890-1544 Email: [Events@fpaa.com.au](mailto:Events@fpaa.com.au).*

- **PACIA Conference 2012, 12-14 June, Sydney**

*Information will be available at [www.pacia.org.au](http://www.pacia.org.au) in 2012.*

**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 21+ 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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