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My approach is to provide a short, succinct note on each hazardous chemical issue, sufficient to allow you to make a decision of whether it is relevant to you.

If you need more information:
Contact details / Website details / etc are provided.

I encourage all readers to network and make comment on Draft Regulations, Codes, Standards and Guidance.

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Hand sanitisers may also contain other ingredients that are Dangerous Goods.

New importers or new manufacturers may not be aware of the risks associated with the highly flammable ingredients they are working with, or of the precautions they need to take for the safe storage and handling of materials prior to, during and after the manufacturing process.

The webpage also covers: Legal Duties; Recommended ways to Control Risks; Storing Raw Materials & Finished Products; Manufacturing Areas; Notification Requirements.

From: www.worksafe.vic.gov.au/safety-alerts/fire-hazards-when-manufacturing-or-storing-alcohol-based-hand-sanitiser

• SafeWork NSW: Silica Safety Video (1 minute)

If you work with manufactured stone, concrete, bricks or rock; cutting or grinding these materials releases Silica dust, which is so small, you may not even know you're breathing it in. Exposure can lead to Silicosis, & can be fatal within 5-10 yrs.

Video: www.youtube.com/watch?v=NzXm-hWKIEU&feature=emb_rel_endm (1 minute video)

From: www.safework.nsw.gov.au/advice-and-resources/video-library

• AU Workplace Exposure Standards: Consultation

Editor's Comment: Safe Work Australia Releases have had a quite a number of changes **with more than 25x reduction** in the Standard, that may make complying with these difficult.

Also there are many added Exposure Standards.

From: www.safeworkaustralia.gov.au/release-schedule-review-workplace-exposure-standards

• Worksafe Vic: Campbellfield Chemical Fire Charges

14 April 2020: WorkSafe has charged Bradbury Industrial Services Pty Ltd over an explosion and chemical fire at a Campbellfield warehouse in April 2019. The 3 new charges follow 35 charges already filed in the Melbourne Magistrates' Court in relation to alleged chemical stockpiles at other Bradbury sites in Campbellfield and Craigieburn.

- WorkSafe alleges that Bradbury failed to provide workers at the Thornycroft Street site with the information, instruction, training and supervision they needed to perform their work safely and without risks to health.

- The company is also accused of failing to take reasonable precautions to prevent fire or explosion at the site in circumstances where it knew that that failure would endanger the safety or health of people, property or the environment.

- It is further alleged Bradbury failed to take reasonable precautions for the prevention of fire or explosion involving Dangerous Goods in its ownership, control or possession.

From: www.worksafe.vic.gov.au/news/2020-04/charges-laid-over-campbellfield-chemical-fire

• Worksafe Vic: Gas Bottle Explosion – Court Fine

8 April 2020: The Melbourne County Court heard a New Sector Engineering ute caught on fire when gas bottles containing Acetylene & Oxygen, which were being transported from a supplier, exploded in the vehicle's fully enclosed toolbox. The court also heard the two gas bottles had been placed unsecured and on their side as the ute's enclosed canopy was too low to allow the worker to place them in an upright position. This allowed Acetylene vapour and air to mix and explode.

A witness to the incident on the Mountain Highway at Bayswater said the fire damaged overhead powerlines and nearby cars, while other gas bottles in the ute also ignited.

The worker was permanently disabled and now requires a wheelchair and has memory loss as a result of multiple traumatic, physical and mental injuries.

From: www.worksafe.vic.gov.au/news/2020-04/company-fined-300000-gas-bottle-explosion

• Vic: New Lead Exposure Standard & Monitoring

4 June 2020: Updated Worksafe Vic Guidance for the new Lead Exposure Standard and Monitoring requirements which came into force in Victoria on 5 June 2020.

The new Guidance "[Lead: A Guidebook for Workplaces](http://www.worksafe.vic.gov.au/resources/lead-guidebook-workplaces)" which replaces the former Victorian Code of Practice is available at:

www.worksafe.vic.gov.au/resources/lead-guidebook-workplaces

The OH&S Regs 2017 legal responsibilities and obligations includes notifying WorkSafe Vic that Lead-risk work is being undertaken, arranging health monitoring of employees, and removing employees from Lead-risk work if their blood Lead levels reach certain thresholds.

From: www.worksafe.vic.gov.au/news/2020-06/reducing-risks-working-lead

• Fire&Rescue NSW: External Combustible Cladding

27 Feb 2020: Fire and Rescue NSW (FRNSW) will consider cladding risk assessment principles when being asked to provide advice in respect of buildings that have external combustible cladding ("Cladding").

Refer to [External Combustible Cladding](http://www.fire.nsw.gov.au/page.php?id=9323) for further information

at: www.fire.nsw.gov.au/page.php?id=9323

From: www.fire.nsw.gov.au/page.php?id=9256

Chemical Management

• NZ HSNO: Implementing the GHS – Consultation 2

8 June 2020: The EPA NZ intend to update New Zealand's Hazardous Substance Classification System to apply Revision 7 (2017) of the GHS.

The initial EPA NZ HSNO Consultation to adopt GHS 7 (Oct 2019 – Jan 2020) received 71 submissions, the majority of which were in support. A copy of the submission analysis report from that Consultation is included as Appendix 3 in this current June 2020 Consultation document.

www.epa.govt.nz/assets/Uploads/Documents/Hazardous-Substances/GHS2/GHS_Consultation_2_Implications_for_Approvals_and_Group_Standards.pdf (49 pages. June 2020)

This Second EPA NZ HSNO Consultation seeks feedback on the following proposals:

- update existing individual NZ Hazardous Substance Approvals and Group Standards to convert their current HSNO Classifications to GHS classifications
- revoke a number of duplicate approvals
- update the NZ Controls on Approvals issued before 1 December 2017 to bring them into line with the NZ Health and Safety Reforms that came into force on that date
- make other minor changes to a small number of NZ Group Standards
- amend the NZ Hazardous Property Controls Notice to No Longer Require Signage for agrichemicals on the basis of their Terrestrial Ecotoxicity Hazards.

This consultation also includes for your information, Exposure Drafts of the new Hazard Classification Notice, and amended Labelling, Safety Data Sheets, Packaging, Disposal, Hazardous Property Controls and Importers and Manufacturers Notices.

- To not progress with Oct 2019 Proposal 2d as proposed. EPA NZ now recommend to **not** adopt Aquatic Toxicity Acute Categories 2 and 3, but **adopt** the other five categories (i.e. Acute Category 1 and Chronic Categories 1-4)

[Appendix 2: October 2019 Consultation](#) (60 page pdf)

The Oct 2019 consultation proposed:

- to not adopt acute toxicity Category 5 at all (in 2014, we proposed that this Category would still apply to consumer products)
- to not adopt skin irritation Category 3 at all (in 2014, we proposed that this Category would still apply to consumer products)
- to adopt aquatic toxicity Acute Categories 2 and 3 (in 2014, we proposed to not adopt these two Categories)
- to adopt the lower concentration cut-off values for certain chronically toxic ingredients when classifying mixtures (in 2014, we proposed to adopt the higher cut-off values levels for classification).
- The EPA NZ now propose to implement a four year transitional period for compliance with the Labelling Notice, Safety Data Sheet Notice, and Packaging Notice starting from the date of GHS Implementation. With an intended implementation date of April 2021, the transitional period would expire on April 2025.

[App 3: Read the Submissions Analysis Report from the Oct 2019 Consultation](#) (46 page pdf)

There are variations between different countries in how GHS has been applied, for example:

- GHS only adopted for workplace chemicals (e.g. Australia, USA, Canada)
- Some building blocks not adopted (e.g. Aquatic toxicity acute 2 and 3 not adopted by the EU, Acute toxicity Category 5 and Skin Irritation Category 3 not adopted by Australia, Canada, USA, the EU, and most ASEAN countries)
- Some countries have opted for the lower concentration cut-off levels for mixtures (e.g. USA and Canada) and others have opted for the higher cut-off levels (e.g. Australia) (*Editor: & EU*)

[App 4: Exposure Drafts of the new & amended Notices](#) (13)

e.g. See the following Note - Hazardous Substances Classification Notice 2020, for more details.

[App 5: Proposed Group Standards](#) (website link pages)

[App 6: Proposed Classifications & Fates of Approved Subs \(xlxs\)](#)

[App 7: Proposed Controls mapping spreadsheet \(xlxs\)](#)

Make a submission using the EPA NZ [online form](#). Or you can email to HSnotices@epa.govt.nz to receive a MS Word form you can complete. Submissions close at 5pm on **4 Aug 2020**.

[EPA NZ Consultation document](#) (49 page pdf)

From: www.epa.govt.nz/public-consultations/open-consultations/ghs-implementation-consultation-2/

• NZ GHS: Haz Subs Hazard Classific'n Notice 2020

8 June 2020 Draft: The purpose of this Notice is to replace the hazard classification system for hazardous substances set out in the Hazardous Substances (Classification) Notice 2017 and the Hazardous Substances (Minimum Degrees of Hazard) Notice 2017.

Parts that caught the Editors' attention:

10. Hazardous substance classifications under GHS

- (4) Despite subclauses (1) & (2), the following Classes or Categories in the GHS are **not** part of the hazard classification system:

acute oral toxicity Category 5: acute dermal toxicity Category 5: acute inhalation toxicity Category 5:
skin irritation Category 3: aspiration hazard Category 2:
hazardous to the aquatic environment acute Categories 2 & 3: hazardous to the ozone layer
(5) The GHS Category eye irritation Category 2 is part of the hazard classification system, however:
the subcategories 2A and 2B are **not** adopted;
substances that would fall into those subcategories fall into eye irritation Category 2.

Schedule 2: Replacement of certain GHS tables relating to Mixtures

In Tables 1-5 the NZ GHS Cut-off Concentrations are listed:

www.epa.govt.nz/assets/Uploads/Documents/Hazardous-Substances/GHS2/Exposure_Draft_Hazardous_Substances_Hazard_Classification_Notice_2020.pdf (29 page pdf)

From: www.epa.govt.nz/public-consultations/in-progress/proposal-to-change-the-classification-system-for-hazardous-substances-in-new-zealand/exposure-drafts/

Editor: This is the **key document to review** which identifies how the NZ Regulations expect to classify under the GHS 7th Revised Edition.

• SWA Update: Transition to GHS Rev'n 7 Delayed

5 June 2020: The new start date for the GHS Revision 7 transition period is 1 Jan 2021. A full two-year transition period will then follow.

A two-year transitional period was due to start on 1 July 2020. However, Safe Work Australia Members have agreed to delay the start of the transitional period due to the impact of COVID-19 on Australian businesses.

To ensure that any importers and manufacturers that had already begun work on implementing GHS 7 are not disadvantaged, State and Territory governments will put in place Regulatory Arrangements allowing businesses to start classifying and labelling chemicals in accordance with GHS 7 from 1 July 2020. Suppliers and End Users will also be able to supply and use GHS 7 labelled chemicals under these arrangements.

To stay informed about the transition to [GHS 7](#), subscribe to the [Hazardous Chemicals Mailing List](#).

From: www.safeworkaustralia.gov.au/media-centre/news/update-transition-ghs-revision-7

• SWA COVID-19 Guidance: Cleaning & Disinfecting

26 May 2020 Update: How to Clean and Disinfect your Workplace - COVID-19, 18p [docx](#) [pdf](#) (originally 30 Apr 20)

This document provides Guidance on Routine Cleaning, and Cleaning and Disinfection following a case or suspected case of COVID-19 in a non-healthcare workplace.

COVID-19 spreads through respiratory droplets produced when an infected person coughs or sneezes. A person can acquire the virus by touching a surface or object that has the virus on it and then touching their own mouth, nose or eyes.

A key way you can protect workers and others from the risk of exposure to COVID-19 is by implementing appropriate cleaning and disinfecting measures for your workplace.

A combination of cleaning and disinfection will be most effective in removing the COVID-19 virus. It is highly recommended that workplaces are cleaned at least daily.

Cleaning with detergent and water is usually sufficient for routine cleaning. Once clean, surfaces can be disinfected.

There are 16 pages of Tables under **1.5 Recommended Cleaning by Surface**

From: www.safeworkaustralia.gov.au/doc/how-clean-and-disinfect-your-workplace-covid-19

• NZ: Non-Compliant Respiratory Protective Equip't

15 May 2020 Worksafe NZ Safety Alert: Highlighting the issue of non-compliant and unapproved respiratory protective equipment being marketed as compliant.

The COVID-19 pandemic has increased demand for these dust masks, and as a result, many businesses (PCBUs) have had difficulty obtaining them for their workers. The extra demand has also resulted in non-certified and inadequate respiratory protective equipment (RPE) entering the New Zealand market.

RPE that does not meet approved standards may leave workers unprotected from harmful respiratory risks, and give them a false belief that they are protected.

- Before buying RPE, make sure it meets the AS/NZS standard or an accepted international equivalent, especially if you doubt it is compliant.
- Make sure the standard it cites matches the country of origin.
- Check that any product certificates have been issued by a legitimate certifying body – look for a licence number and the manufacturer's name on the certifying body's website.

From: <https://worksafe.govt.nz/about-us/news-and-media/non-compliant-respiratory-protective-equipment-on-the-market/>

• ECHA: Compilation of SDSs - Draft Guidance

21 April 2020: [Draft \(Public\) Version 4.0](#) (139 page pdf)

Update of the ECHA Guidance on the Compilation of SDSs to take into account the revised Annex II of REACH, that will apply from January 2021.

- by introducing specific requirements regarding nanoforms of substances, adapting to the 6th and 7th revision of the GHS, and adding requirements regarding the unique formula identifier (as set by Annex VIII to Regulation (EC) 1272/2008), endocrine disrupting properties, specific concentration limits, M-factors and acute toxicity estimates.

- references and advice related to the obsolete DSD/DPD classification system have been removed from this Guidance.

From:

www.echa.europa.eu/support/guidance/consultation-procedure/ongoing-reach?panel=draft-guidance-on-safety-data-sheets-v4-0

• ECHA: Guidance to assess the Risk from Biocides to Arthropod Pollinators (including Bees)

17 April 2020: The establishment of an Ad Hoc Consultation Group on the development of a Guidance to assess the Risk to Bees and Non-Target Arthropods from the Use of Biocides.

Prior to April: Call for expression of interest for joining the Stakeholder Consultation Group - [Document](#) [7 page pdf]

This Group is to take into account EFSA's *Guidance Document on the Risk Assessment of Plant Protection Products on Bees* (currently under review) at:

www.efsa.europa.eu/en/news/bees-and-pesticides-third-consultation-guidance-review

[Outline of the revision of the Guidance on the Risk Assessment of Plant Protection Products & Bees](#) (6 page pdf)

The [existing Guidance](#), was published in July 2013, and [updated in July 2014](#) (268 pages).

17 April: Results of the call for expression of interest for joining the Stakeholder Consultation Group – [ECHA Selection Panel document](#) [3 page pdf]. The names of the stakeholder experts and nominating organisations will be made publicly available on ECHA's website.

From: www.echa.europa.eu/support/guidance/consultation-procedure/ongoing-bpr

• ECHA: Safer Chemicals & the Circular Economy

2 June 2020 Event: Why are safer chemicals so essential to the circular economy? Why do we need more clarity on harmful chemicals in products? Find more from the ECHA free **online Safer Chemicals Conference** held on 2 June 2020.

The online event focussed on three main topics:

Safer chemicals for a greener Europe Tracking substances of concern Harmonised information for Poison Centres

Video (20 hours): https://youtu.be/OJFMON_5bJo?list=PLOGDACSd6qwcVeh5cDrOhG9h0tXt0yZR

Access all the [Questions and Answers](#) from the event.

From: www.echa.europa.eu/-/join-us-online-to-discuss-safer-chemicals and

<https://echa.europa.eu/-/safer-chemicals-conference-2020>

With access to specific Slides and Video for each speaker.

Editor: This Conference info is relevant to the whole world. e.g. What is a sustainable chemical?

• ECHA Newsletter: May 2020

28 May 2020: The May 2020 issue of the ECHA Newsletter takes a closer look at Per- and Polyfluoroalkyl Substances (PFAS) and explains why they need to be regulated. You can also learn more about how ECHA is investigating potential risks that Lead in ammunition and fishing weights can pose to human health and the environment.

Topics that caught my interest:

[PFAS – Convenience but at what Cost?](#)

[Controlling Lead in Ammunition & Fishing –benefits & viability](#)

[Authorities working together to promote Safe Use of chemicals](#)

[Poison Centres: quick access to Accurate Info saves lives](#)

Guest Column: It is beyond time to act on the PFAS public health threat: If we don't act now to reduce and restrict the use of PFAS, the scale of the problem will increase exponentially and be inherited by generations to come.

By: Robert Bilott is a Partner at the law firm of Taft Stettinius & Hollister LLP in Cincinnati, Ohio, and author of the acclaimed book, "Exposure: Poisoned Water, Corporate Greed, and One Lawyer's Twenty-Year Battle Against DuPont". His story is also shown in the Hollywood feature movie "Dark Waters", directed by Todd Haynes and starring Mark Ruffalo.

<https://newsletter.echa.europa.eu/> Issue 2 – May 2020

From: www.echa.europa.eu/-/may-newsletter-publish-1

• ECHA: Promoting Safe Use of Chemicals

Mid-May 2020: ECHA published its [Second Report](#) (59 page pdf) “Grouping Speeds up Regulatory Action” under the **Integrated Regulatory Strategy** which tells of the progress made in identifying and managing substances of concern under REACH and CLP.

Member States are working on other tasks, such as:

- complementing Hazard Information through Substance Evaluation;
- carrying out Regulatory Management Option Analyses (RMOAs);
- proposing substances to be identified as Substances of Very High Concern (SVHCs);
- preparing Harmonised Classification & Labelling proposals;
- drafting Restriction proposals.

To facilitate these discussions, ECHA maintains an informal [Risk Management and Evaluation](#) (RiME+) platform where these topics can be further developed and discussed between Member States, ECHA and the Commission.

From: <https://newsletter.echa.europa.eu/home/-/newsletter/entry/authorities-working-together-to-promote-safe-use-of-chemicals>

Also: www.echa.europa.eu/-/grouping-of-chemicals-speeds-up-regulatory-action (13 May 2020) In 2019, ECHA moved from a Substance-by-Substance approach to addressing structurally similar chemicals in Groups.

• CSB: Guidance for Boards of Directors & Executives

14 May 2020: CSB Releases New Guidance Document for Boards of Directors and Executives Focused on High Hazard Accident Prevention in the Offshore Oil and Gas Industry.

CSB: USA Chemical Safety & Hazard Investigation Board.

The importance of these roles to ensure that there are effective safety management systems in place to properly manage risks, with the goal of preventing major accidents and protecting workers, the public, and the environment.

www.csb.gov/assets/1/17/guidance_document.pdf (7page pdf)

From: www.csb.gov/csb-releases-new-guidance-document-for-boards-of-directors-and-executives-focused-on-high-hazard-accident-prevention/

• USA OSHA Quick Takes e-News: April 20-May 20

8 April 2020: 1/ Silica Protection: OSHA USA extended the [National Emphasis Program on Respirable Crystalline Silica](#) to protect workers.

8 May 2020: 1/ Chemical Violations - A [contractor was fined USA\\$183127](#) following a worker fatality due to chemical inhalation (23 April 2020).

12 May 2020: 1/ OSHA USA released a new [video](#) (2 min) and a [poster](#) that show employers and workers how to properly Put On, Wear and Remove a Respirator.

12 June 2020: 1/ [A chemical manufacturer was issued \\$515K in penalties following a massive explosion and fire](#) in a Butadiene finishing tower.

From: www.osha.gov/quicktakes/

NICNAS (Industrial Chemicals)

• NICNAS Chemical Gazettes

[Chemical Gazette April 2020](#) (goes to the initial webpage)

[Chemical Gazette May 2020](#) (goes to the initial webpage)

[Chemical Gazette June 2020](#) (goes to the initial webpage)

From: www.nicnas.gov.au/news-and-events/chemical-gazette

• NICNAS: No Annual Reporting for Sept19 - June20

The Australian Industrial Chemicals Introduction Scheme (AICIS) replaces NICNAS on 1 July 2020.

AICIS Annual Declarations will replace NICNAS Annual Reports. There is no Annual Declaration in 2020 (and **no** NICNAS Annual Report for the period 1 Sept19 – 30 June20).

Your first AICIS Annual Declaration is due by **30 Nov 2021** & covers the 14 month period from 1 July 2020 - 31 Aug 2021.

You'll still need to keep relevant records for your introduction (for the period 1 Sept19 – 30 June20).

From: www.nicnas.gov.au/notify-your-chemical/Annual-reporting

• NICNAS PEC Final Report for TBBPA

5 May 2020: Final PEC Report for Tetrabromobisphenol A (TBBPA)

[Final Report on Tetrabromobisphenol A \(TBBPA\) - PEC 42](#) (132 page docx)

The focus of the Final Report is on our assessment of risks to:

a/ workers handling TBBPA or its products; **b/** the general public coming in contact directly or indirectly with articles containing TBBPA and **c/** to the environment.

TBBPA is one of many Polybrominated Flame Retardants (PBBFRs). In 2001, NICNAS published a preliminary PEC assessment of PBBFRs as a group (NICNAS, 2001). This was because there was concern over the widespread use of flame retardants in household and industrial situations. As a result, NICNAS published a report focusing on occupational, public and environmental exposure to PBBFRs. The report recommended that a full risk assessment be conducted once testing of these chemicals was completed internationally.

A second 'Call for Information' conducted by NICNAS in Nov 2016 indicated that only two companies were importing TBBPA, either for their own use or for distribution to local manufacturers.

The main use of TBBPA is as a reactive flame retardant in epoxy resins for printed circuit boards in computers, telecommunications equipment, industrial controls and automotive electronics. TBBPA is also used as an additive flame retardant for low energy applications such as plastic housings for electrical and electronic equipment, mainly computer monitors and printers. It is also used in the manufacture of ABS resins and phenolic resins.

Final Classifications: Based on the assessment of the available hazard data and in accordance with the GHS (UNECE, 2013), TBBPA is determined to be hazardous and is classified as:

Health Hazard H351 Suspected of causing cancer: Category 2

Environmental Hazards: H400 Acute Aquatic Toxicity Category 1 & H410 Chronic Aquatic Toxicity Category 1.

Then there are 5 additional management Recommendations.

From: www.nicnas.gov.au/news-and-events/chemical-gazette/numbers/2020/chemical-gazette-may-2020/notice-for-final-publication-of-tbbpa-report

• NICNAS PEC Final Report for PentaBDE

5 May 2020: Final PEC Report for Pentabromodiphenyl Ether (PentaBDE) was available for Public Comment to 4 May 2020.

[Final Report on Pentabromodiphenyl Ether \(PentaBDE\) - PEC 43](#) (89 page docx)

The focus of the Final Report is on our assessment of risks to the: **a/** general public coming in contact directly or indirectly with articles containing pentaBDE, and **b/** environment.

The production of PentaBDE and importation into Australia ceased by 2005. The only PBDE product in current production is commercial decabromodiphenyl ether (decaBDE).

In Australia, pentaBDE was used as an additive flame retardant for flexible polyurethane foam at a level of 2.5-15% of the polyol mixture (equivalent to a final pentaBDE concentration of 1.63-9.75%).

Considering the human health and environmental effects of pentaBDE and its fate in the environment, and noting that pentaBDE formulation (tetraBDE & pentaBDE) is for elimination listed on Annex A of the Stockholm Convention & on Annex III of the Rotterdam Convention, where importation is subject to Prior Informed Consent (PIC) procedure, NICNAS makes the following recommendations:

Recommendation 1: that pentaBDE be considered for evaluation under the Industrial Chemicals Act 2019 (commencing 1 July 2020), to determine whether pentaBDE should be removed from the Australian Inventory of Industrial Chemicals.

Recommendation 2: that the Department of Agriculture, Water & the Environment, in consultation with States & Territories develop a plan to address the environmental risks of pentaBDE, including in existing products & articles, taking into account the information in this Report.

From: www.nicnas.gov.au/news-and-events/chemical-gazette/numbers/2020/chemical-gazette-may-2020/notice-for-final-publication-of-pentabde-report

• AU Industrial Chem Intro Scheme — Fact Sheet

12 June 2020 - alerted by a colleague: Has new information.

From: www.nicnas.gov.au/search?query=%22Australian+Industrial+Chemicals+Introduction+Scheme+Fact+Sheet%22&collection=nicnas-meta (3 page pdf)

• AICIS: Cost Recovery Arrangements – Not Yet

12 June 2020: We still don't know what the new AICIS charges will be, nor if they present any issues that might need to be adjusted for. It is a problem to not know the new charges!

The above is the Editor's Comment.

• AICIS Introductions: Templates – Not Yet

12 June 2020: Editor: In Sept 2020 it was discussed with NICNAS (at an industry meeting) about an already identified need to have all businesses using the same template flow chart process document to create the Exempt Introduction and Report Introduction documents.

In this way we would minimise the chance of missing something and could help each other learn to prepare and then prepare these documents. It would also aid the AICIS future auditing as we would be using common template flow chart process documents and help us with common understandings.

We were informed that these templates were delayed from Dec 2019 to March 2020, but they have still not become available as at mid June 2020!

We have missed out on at 8+ months of training with common templates to prepare these new Exempt Introduction and Report Introduction documents and thus better understanding what new arrangements we might need to have in place.

This should mean an additional year to implement the AICIS should be allowed, as we now need to train as we do the actual Introduction Reports and then revisit issues and misunderstandings as we learn the new process.

The above is the Editor's Comment.

• New AICIS Website from 1 July 2020

The NICNAS website officially retires on 30 June 2020 and will be succeeded by the new AICIS website on 1 July 2020.

It will be www.industrialchemicals.gov.au

The NICNAS website will be archived by the National Library of Australia on 30 June 2020 and will remain accessible through Trove online service. <https://trove.nla.gov.au/website>

Editor: We will need to continue for at least a 2 year transition (at least as an accessible archive) so we can check it when needed. Particularly references in our SDSs to IMAP data.

• AICIS: Educational Videos available on the AICIS

29 May 2020: Watch the AICIS informative videos about the new scheme, AICIS. NICNAS has recently added some more videos on key topics.

Editor: I have listed those added from 7 April to 29 May 2020.

AICIS Implementation: The Inventory	(20m43s video) presentation pdf; transcript pdf (25 May 2020)
AICIS Implementation: CBI	(24m51s video) presentation pdf; transcript pdf (7 April 2020)
AICIS Evaluations	(14m32s video) presentation pdf; transcript pdf (7 April 2020)
AICIS Overview of Categorisation: What is your introduction category?	(13m38s video) presentation pdf; transcript pdf (17 April 2020)
AICIS Step-by-Step Categorisation: Steps 1-3	(14m22s video) presentation pdf; transcript pdf (17 April 2020)
AICIS Step-by-Step Categorisation: Steps 4-6	(44m54s video) presentation pdf; transcript pdf (24 April 2020)
AICIS Implementation – Ban on Animal Test Data: meeting your Obligations	(14m0s video) presentation pdf; transcript pdf (15 May 2020)
AICIS Implementation – Assessed Chemical Introductions	(35m32s video) presentation pdf; transcript pdf (23 April 2020)
AICIS: Reporting and record keeping	(25m57s video) presentation pdf; transcript pdf (29 May 2020)
AICIS Categorisation example: Low concentration cosmetic ingredient, no available hazard information	(13m39s video) presentation pdf; transcript pdf (15 May 2020)

From: www.nicnas.gov.au/New-scheme-1-July-2020/aicis-educational-videos

• AICIS: Record Keeping Obligations under AICIS

27 May 2020: Under our new Scheme, AICIS, your Reporting and Record-Keeping Obligations will vary depending on your Introduction Category. Find out about your Obligations for Each Introduction Category.

There are 13 weblinked pages to review:

I have mentioned 3 of the weblinked pages that caught my attention to give an understanding of the AICIS requirements.

Your first 'annual declaration', is due by 30 November 2021 to cover the period 1 July 2020 – 31 August 2021.

[AICIS: Exempted Introduction Declaration \(from 1 July 2020\)](#)

For some types of Exempted Introductions, a once-off post-introduction declaration must be submitted. This is an 'Exempted Introduction Declaration'. *Note:* This is on top of your usual Annual Declaration obligations.

The first Exempted Introduction Declaration under AICIS will cover the period 1 July 2020 — 31 August 2021. The E.I. Declaration covers: Polymers Of Low Concern; Low-Concern Biopolymers; and, chemicals that you have categorised as Very Low Risk for Human Health and the Environment.

Apart from chemical name & CAS No. type of information; you will also need: a/ the total volume of the industrial chemical introduced during the registration year; b/ the end use for the industrial chemical; and, the maximum concentration of the industrial chemical at end use.

For a chemical that includes an End Use in Cosmetics: your Declaration must confirm compliance with the Rules on Using Animal Test Data to Categorise your Introduction.

[AICIS: Pre-Introduction Reports \(Reported Introductions\)](#)

For a Chemical Introduction categorised as Reported, you must give AICIS certain details about the Introduction before importing or manufacturing it in Australia. Once you have completed the Report, you can introduce the chemical.

You must at all times ensure that any Introduction is in line with the information given in your Pre-Introduction Report. If any Circumstance of your introduction Changes, you must Check that it can Still be Categorised as a Reported Introduction and, if so, whether you need to vary your Pre-Introduction Report.

[AICIS: An Overview of Record Keeping Requirements for Reported Introductions](#)

Submit a [once-off Pre-Introduction Report](#) (and then vary this Report, if necessary). Then submit an Annual Declaration by 30 November after the end of the AICIS Registration year.

You must keep certain records about your Chemical Introductions to confirm they are authorised under our Reported Category. This ensures you're aware of any changes that could impact your categorisation. You must keep these Records for 5 years, even after you've stopped introducing your chemical.

AICIS may ask for your records to ensure your chemical introduction is authorised as a Reported Introduction. If this happens, you must provide all the information AICIS ask for within 20 working days. If you don't meet this timeframe, any further introductions of your chemical, under the same circumstances, will not be authorised until AICIS get the information.

In circumstances where you've provided a written undertaking, the person who holds the information about your chemical can give it to AICIS directly (rather than via the Introducer). AICIS must receive this information within 20 working days, otherwise any further introductions of the chemical by you, under the same circumstances, will not be authorised.

From: www.nicnas.gov.au/New-scheme-1-July-2020/aicis-topics/compliance.-reporting-and-record-keeping

• AICIS: Record Keeping - Confidential Chemicals

Editor: For the last 25 years we have been keeping records in our files (both hardcopy and digital) of supplier or manufacturer companies, confirming all the Chemicals / CAS No.s (including trace ingredients) in their confidential mixtures and confidential chemicals, that are Listed Introduction chemicals on the AICS.

For you to meet the AICIS Record Keeping Obligations, all the confidential chemicals that are Listed Introduction chemicals on the AICS, must have Written Undertakings.

Written Undertakings: If you've relied on information held by another person — such as a supplier or manufacturer — to categorise your chemical introduction as a Listed Introduction, you'll need to keep a Written Undertaking from that person.

It must confirm that they will provide the CAS name and CAS number (if assigned) for your chemical, if AICIS asks for it. You must provide this written undertaking if we ask for it.

AICIS May Ask for Your Records: AICIS may ask for your records to ensure your chemical introduction is authorised as a Listed Introduction. In circumstances where you've provided a Written Undertaking, the person who holds the information about your chemical can give it to AICIS directly (rather than via the Introducer). If AICIS asks for your records, you (and the person who holds the information, if applicable) must provide the records within 20 working days.

Records to Keep if you DO NOT know the CAS No. or CAS Name for your chemical

1. The names you use to refer to your chemical and a written undertaking from the chemical identity holder that they will give us the CAS name and CAS number (if assigned), if AICIS ask for them.
2. If the terms of the Inventory listing for your chemical include a defined scope of assessment — records to prove that you are introducing or using your chemical in accordance with that defined scope.
3. If the terms of the Inventory listing for your chemical include conditions relating to its introduction or use — records to prove you are complying with those conditions.
4. If the terms of the Inventory listing for your chemical include specific requirements to provide information to us — records to prove that you are meeting those requirements.

For more AICIS Record Keeping information go to:

<https://www.nicnas.gov.au/New-scheme-1-July-2020/aicis-topics/compliance.-reporting-and-record-keeping/assets/aicis-record-keeping-obligations-for-inventory-listed-introductions>

Editor: This means we all have a lot of work to do to upgrade our CAS-ON-AICS confirmations we have obtained for NICNAS, as the agreement to provide the CAS name and CAS number (if assigned) by the Supplier or the Manufacturer, for our CAS-ON-AICS confirmations we obtained, was not a requirement of Regulation 7A.

Editor: The other issue is that the person you obtained the CAS-ON-AICS confirmations from up to 25 years ago is unlikely to be the contact person today. So the current person responsible and a process to update to later persons must be put into place.

Editor: Suggested Changes to the AICIS Regulations.

a/ That existing CAS-ON-AICS confirmations held under Regulation 7A be carried forward and regarded to be meeting the AICIS Record Keeping obligations.

b/ As companies place new orders for products containing confidential chemicals that a Proforma Letter* be sent to ask for the information needed and to meet the obligations above in 1/ 2/ 3/ &4/. (* This should be available from AICIS.)

c/ That period of 5 years be allowed (as some products are only ordered this infrequently), to ask for the information needed, to meet the obligations above in 1/ 2/ 3/ &4/.

• NICNAS: Finalise Certificate / Permit Applic'ns by 1 July

22 May 2020: NICNAS reminded chemical Introducers to fully finalise their NICNAS Certificate or Permit Application by 30 June 2020.

If you have already submitted an Application for a NICNAS Assessment Certificate or permit — or you're planning to apply before the new scheme AICIS starts — you must submit a completed Application form and the relevant Data and make Full Payment so that NICNAS receive it before 1 July 2020.

Any Application with an outstanding fee or missing forms or missing data will be cancelled with effect from 1 July 2020. You must then categorise your Introduction in accordance with legal requirements under our new scheme, AICIS.

From: www.nicnas.gov.au/news-and-events/news-and-notice/news-and-notice-content/reminder-to-finalise-your-nicnas-certificate-or-permit-application-before-1-july

Editor: I suggested by selected email and by LinkedIn that businesses do this by Friday 5th June 2020 as NICNAS have 2 weeks to determine if data/information is required and your business then has a week to prepare and submit the required additional data / information by Friday 26th June, to ensure the posted USB Memory Stick arrives by the 30th June 2020!!

• AICIS: Chemical Introduction Categorisation Guide

18 May 2020: AICIS Categorisation Guidance for Importers and Manufacturers. The AICIS step by step Guide on how to Categorise a chemical (Introduction) is available to download.

Following the Guidance will enable an Introducer to work out the Introduction category. There are a number of tools and resources to help you with different aspects of Categorisation.

There are 19 weblinks. The first 5 links are:

1. [Before you start: is your chemical already listed on the Inventory?](#)

2. [Information you need to work out your introduction category](#)

e.g. Introduction volume; Introduction Concentration;

End Use Concentration; End Use; Hazard Information;

Specified classes of introduction; Is your chemical a polymer;

IF your chemical is a polymer, do you know its molecular weight? Is it a high molecular weight polymer? Has there been an international assessment of your chemical?

3. [Step 1 Introductions that cannot be exempted or reported](#)

4. [Step 2 Introductions that are automatically categorised as exempted](#)

Chemicals that are imported and subsequently exported;

Chemicals that are only used for research and development;

Polymers that are comparable to listed polymers;

Chemicals that are comparable to listed chemicals;

Polymers of low concern;

Low-concern biological polymers;

Chemicals resulting from non-functionalised surface treatment of listed chemicals;

What are your obligations for this category?

5. [Step 3 Introductions that are automatically categorised as reported](#)

From: www.nicnas.gov.au/New-scheme-1-July-2020/aicis-topics/categorise-your-chemical-introduction/AICIS-Categorisation-guide

Editor: Remember to check IF there is more than one CAS Number that covers your chemical when checking the AICIS.

Also see: www.nicnas.gov.au/New-scheme-1-July-2020/aicis-topics/the-new-inventory/assets/AICIS-I-cant-find-my-chemical-on-the-Inventory

• AICIS: Decision Tools help Categorise Introductions

13 May 2020: NICNAS published 15 AICIS Decision Tools to help businesses categorise their chemical importation or manufacture under AICIS. These Self-Guided Online Tools complement other Guidance NICNAS has published on how to work out your AICIS Introduction Category from 1 July. The Tools are a work-in-progress and NICNAS would like your feedback to help improve them.

The Tools can be used to categorise your Chemical Introduction as either Exempted, Reported or Assessed. You can use some or all of these tools – but NICNAS recommend that you start from Step 1.

Step 1: Introductions that cannot be Exempted or Reported

Step 2: Introductions that are Automatically Categorised as Exempted

Step 3: Introductions that are Automatically Categorised as Reported

Step 4: Work out the Human Health Risk of your Introduction

Step 5: Work out the Environment Risk of your Introduction

Step 6: Complete your Categorisation

From: www.nicnas.gov.au/media/components/landing-tiles/categorise-your-chemical-introduction/decision-tools-to-help-you-categorise-your-chemical-importation-or-manufacture

Editor 12/06: There are several Decision Tools still to come.

• AICIS: Are you able to Produce the Records? (to meet your Post-Assessment Obligations)

23 April 2020: NICNAS recently finished a compliance-monitoring activity that revealed some New Chemical Notifiers were unable to readily produce the Records to Prove they were meeting their Post-Assessment Obligation records to prove they were introducing assessed chemicals within the scope of the relevant Certificate, Permit or Secondary Notification conditions.

Some new chemical notifiers are engaging technical or legal experts to help them meet their post-assessment obligations. However, it's important to note that the Introducer — not any agent or third party — is ultimately responsible for complying with the (NICNAS or AICIS Acts).

From: www.nicnas.gov.au/news-and-events/news-and-notice/news-and-notice-content/are-you-able-to-produce-the-records-you-need-to-meet-your-post-assessment-obligations

• AICIS: Reported Pre-Introduction Reports

17 April 2020:

Under the new AICIS scheme an introducer must submit a Pre-Introduction Report for all Reported Category Introduction before they import or manufacture them in Australia.

1/ [An overview of record keeping requirements for Reported Introductions](#)

What you must submit: You must submit a [once-off pre-introduction report](#) (and then vary this Report, if necessary).

The online form for a pre-introduction report will be available on the AICIS Business Services portal from 1 July 2020. There is no fee to submit or vary your report.

After you log in to the Portal, select the type of Report that applies to your Reported Introduction. There are 6 types:

- the highest indicative risk is low risk
- low-risk flavour or fragrance blend
- chemicals that are only for use in research and development and meet the criteria for reported introductions
- chemicals that are internationally assessed for human health and the environment
- chemicals that are internationally assessed for human health and are low or very low risk for the environment
- chemicals that are internationally assessed for the environment and are low or very low risk for human health

You only need to submit the report the first time you introduce the chemical.

It is separate to your [annual declaration obligations](#).

You'll also need to submit an annual declaration by 30 November after the end of our registration year.

2/ [Record keeping — Reported Introduction — internationally assessed](#)

There are three Tables and two lists of required information on this webpage for each

a/ Records to keep if you know the CAS number and/or proper name for your chemical.

b/ Records to keep if you DO NOT know the proper name for your chemical

Table 1: Introductions of chemicals that are internationally assessed for human health and the environment

Table 2: Introductions of chemicals that are internationally assessed for human health only (and are low or very low risk for the environment)

Table 3: Introductions of chemicals that are internationally assessed for the environment only (and are low or very low risk for human health)

3/ [Record keeping — Reported Introduction — low-risk flavour or fragrance blend](#)

[Download 'Checklist – Low-risk flavour or fragrance blend introductions'](#) (1 page pdf)

a/ Records to keep if you know the CAS number and/or proper name for your chemical.

b/ Records to keep if you DO NOT know the proper name for your chemical

4/ [Record keeping — Reported Introduction — highest indicative risk is low](#)

[Download Checklist – Highest indicative risk for your introduction is low risk](#) (2 page pdf).

a/ Records to keep if you know the CAS number and/or proper name for your chemical.

b/ Records to keep if you DO NOT know the proper name for your chemical

From: www.nicnas.gov.au/New-scheme-1-July-2020/aicis-topics/compliance.-reporting-and-record-keeping/assets/Record-keeping-requirements-for-reported-introductions .

Scheduled Poisons & TGA Issues

• Poisons Standard June (No.2) 2020

[SUSMP No. 28 \(Poisons Standard June \(No.2\) 2020\)](#)

The corrected 709 page [Standard](#) commenced 1 June 2020.

The SUSMP:

- is a record of decisions regarding the classification of medicines and chemicals into Schedules for inclusion in relevant legislation of the States and Territories;
- includes model provisions about containers and labels, and recommendations about other controls on medicines and chemicals.

Editor: The Index, starting at pdf page 395 is 314 pages long!

www.legislation.gov.au/Details/F2020L00639/Download

www.legislation.gov.au/Details/F2020L00639/2575e540-b21f-47b8-b4c1-0339036c9cf2 (709 page pdf)

Changes are detailed in the [Explanatory Statement \(html\)](#) (& 3 page [pdf](#)) supporting Poisons Standard June 2020 at <https://www.legislation.gov.au/Details/F2020L00639/Download>

From: www.tga.gov.au/publication/poisons-standard-susmp

• Poisons Std (No.2) June 20 Explanatory Statement

The Poisons Standard (No.2) June 2020 incorporates a small number of minor changes compared to the Poisons Standard June 2020, principally to correct an inadvertent formatting error in the header for Schedule 3 to the Poisons Standard June 2020 (which refers to Schedule 4, rather than Schedule 3) to avoid confusion and to ensure clarity in this regard (other more minor formatting changes are also incorporated).

The Poisons Standard (No.2) June 2020 also reflects all of the measures that were set out in the Poisons Std June 2020.

The Poisons Standard June 2020 incorporated a number of changes compared to the Poisons Standard February 2020, involving changes to existing entries and the inclusion of a number of specified substances in the Poisons Standard for the first time. Editor: e.g. Delegate-Only decisions in relation to the Agricultural and Veterinary chemicals acequinocyl, Agrobacterium radiobacter (Rhizobium Rhizogenes) and Nonanoic Acid.

The Poisons Standard June 2020 also introduced a number of new substances to the Poisons Standard for the first time. These included a number of specific entries for Cabotegravir, Cezauridine, Decitabine, Defibrotide, Dulaglutide, Fosnetupitant, Larotrectinib, Ozanimod, Ripretinib, Tafamidis and Tucatinib in Schedule 4.

The Poisons Standard June 2020 also incorporated a small number of minor amendments, including editorial amendments to the current entries for Glycolic Acid, Guanidine, Hydroxychloroquine and Propyl Nitrite.

From the [Explanatory Statement](#) at: www.legislation.gov.au/Details/F2020L00639/Download

• Scheduling Invitations and Submissions

Consultation 17 April 2020 (closed 18 May 2020):

Proposed Amendments:

2.1 Nicotine: CAS 54-11-5, Alternative Name: 3-[(2S)-1-methylpyrrolidin-2-yl]pyridine [IUPAC]

It is Proposed to Delete the Schedule 6 entry for Nicotine.

- To clarify the access controls for nicotine in Australia.
- It is proposed to delete the Schedule 6 nicotine entry. The Schedule 6 entry is not required as there are no longer products containing nicotine for the treatment of animals.
- The proposed amendment clarifies that nicotine for human use, other than tobacco for smoking, is only exempt from Schedule 4 when it is included in oromucosal and transdermal preparations for smoking cessation.
- The proposed amendment does not change the current exemption from scheduling for tobacco prepared and packed for smoking.
- The proposed amendment to include a new entry for nicotine in Appendix D, Item 5 will ensure that possession of Schedule 4 products containing nicotine must be in accordance with a legal prescription.

2.3 Methylisothiazolinone & Methylchlorisothiazolinone:

MI: 2682-20-4 CMI: 26172-55-4

Reasons for the Proposal: for Preparations that are not intended for direct application to the skin containing Isothiazolinones, to be have the exception cut-off lowered from 0.1% to 0.05%:

- Isothiazolinones are known skin sensitisers and there is a high skin sensitisation incidence (newly diagnosed cases) and prevalence (already sensitised) around the world.

- The cut-off value of 0.05% for preparations not intended for direct application to the skin, takes into account the minimum patch test concentrations used to elicit sensitisation reactions in patients with allergies to isothiazolinones.
- The proposed warning statement is intended to allow persons who know they have previously been sensitised to isothiazolinones to avoid elicitation by taking additional care or by choosing a different product.

2.4 Isothiazolinones: Includes: Methylisothiazolinone; Methylchloroisothiazolinone; 4,5-Dichloro-2-n-Octyl-3(2H)-Isothiazolone; Othilinone; Benzisothiazolinone and 2-Methyl-1,2-Benzisothiazol-3-one are not currently specifically scheduled.

Schedule 6 New Entry: ISOTHIAZOLINONES not elsewhere specified in these Schedules, **except** in preparations that are not intended for direct application to the skin containing 0.05% or less of Isothiazolinones in total and labelled with the statements: CONTAINS ISOTHIAZOLINONES: REPEATED EXPOSURE MAY CAUSE SENSITISATION.

Reasons for the Proposal: for Preparations that are not intended for direct application to the skin containing Isothiazolinones:

- Isothiazolinones are known skin sensitisers and there is a high skin sensitisation incidence (newly diagnosed cases) and prevalence (already sensitised) around the world.
- There is a potential for cross-sensitisation between Isothiazolinones in individuals. Due to the potential for cross-sensitisation between the Isothiazolinones, they should be considered together as a group (including all Isothiazolinone preservatives on the Australian Inventory of Chemical Substances (AICS)) for the purpose of amending the current Schedule entries and adding a new entry for Isothiazolinones in Schedule 6.
- Cosmetic and domestic products including paints contain combinations of Isothiazolinones.
- There is a risk of sensitisation in consumers, particularly for those using paint products containing a combination of Isothiazolinones.
- Certain Isothiazolinones are unscheduled and should be included in Schedule 6 to restrict their use.
- Similar Scheduling restrictions for all Isothiazolinones in preparations not intended for direct skin application are recommended.

From: www.tga.gov.au/consultation-invitation/consultation-proposed-amendments-poisons-standard-acms-and-joint-acmsaccs-meetings-june-2020

Editor: Under the GHS Hazard Classification, MI/CMI & MI, & MI alone containing products have now been classified as Skin Sensitisers down to 0.0015% based on accepted Toxicology data. Does this Scheduling cut-off value of 0.05% for preparations not intended for direct application to the skin mean we now have a basis to **not** classify MI/CMI & MI containing preparations at <0.0500% as GHS Hazardous Chemicals?

• Public Submissions on Scheduling Matters

25 May 2020: *Editor:* Comment on Chemicals only.

Carbon Monoxide (ACCS #26 proposed Amdmt)

- [Consultation submission: Australia New Zealand Industrial Gas Association](#) (4 Mar 2020)
- [Consultation Submission: Chemistry Australia](#) (25 Sept 19)
- [Consultation Submiss'n: NSW Poisons Info Centre](#) (26-9-19)

From: www.tga.gov.au/scheduling-submission/public-submissions-scheduling-matters-referred-acms-28-accs-26-and-joint-acms-accs-23-meetings-held-november-2019

10 June 2020: *Editor:* Comment on Chemicals only

Proposed Amendmts referred to Joint ACMS-ACCS #24

Nicotine (Heated Tobacco Products) – 36 submissions
Marker Dyes and Pigments – 3 Submissions

Proposed Amendments referred to the ACCS #27

Picramic acid (including its salts)

From: www.tga.gov.au/scheduling-submission/public-submissions-scheduling-matters-referred-acms-29-accs-27-and-joint-acms-accs-24-meetings-held-march-2020

• Scheduling Delegate's Final Decisions

7 May 2020: Chemicals covered include:

Caffeine New Entries in Schedules 6 & 4

With divided preparation limit of 600 mg total Caffeine and undivided preparation to be <5% Caffeine & Labelled ≤600 mg
The date of effect of the Caffeine Decision: 1 June 2020.

N-Methyl-2-Pyrrolidone (NMP) Std **not** amended

Carbon Monoxide Std **not** amended

The main points provided in support of the interim decision on Carbon Monoxide were:

- The submission supported the interim decision as a sensible and pragmatic decision not to schedule Carbon Monoxide.

- Industry has developed, through a member based working group, product stewardship guidelines for Carbon Monoxide and these have been recommended to members for implementation. The guidelines include barriers to obtaining the product using End User Declarations.
- Training and support to customer service staff within industry is being provided to identify when a sale may be suspicious and if the declared use is not legitimate

Nonanoic Acid Std Schedule 5 entry amended

(a) *when used as a pesticide; or*

(b) *in other preparations, except in preparations containing 10% or less of Nonanoic Acid.*

Nonanoic Acid (frequently referred to as Pelargonic Acid) is a naturally occurring Carboxylic Acid with a carbon chain-length of 9, belonging to the chemical class of Saturated Fatty Acids commonly referred to as Medium Chain Fatty Acids (C8-C12).

Reasons for the Scheduling Delegate's Final Decision:

- The proposed change to the Poisons Standard for the Schedule 5 entry for Nonanoic Acid is in response to new toxicity data. These data indicate that there is a risk to human health and safety from the use of this substance in pesticides (herbicides) that is not adequately mitigated by the current exemption in Schedule 5. The new information demonstrates that even low concentrations (ca 1.8%) of Nonanoic Acid are irritating to the eye and therefore, together with the overall toxicity profile of Nonanoic Acid, meets the criteria laid out in the SPF (2018) for a Schedule 5 entry without a concentration cut-off. The Applicant (APVMA) has indicated that various agricultural (pesticide) products containing Nonanoic Acid are currently available for use both commercially and in the home garden, thus highlighting its continued benefit for the agricultural industry. The proposed change is not expected to affect the benefits obtained from the use of agricultural products containing Nonanoic Acid or in other preparations that contain Nonanoic Acid.

- The new data supports the Applicant's contention that the existing Schedule 5 exemption of 10%, does not adequately protect users of products that produce aerosols. This is particularly important for agricultural products that are routinely applied by spraying. Moreover, the data do not provide an alternative concentration cut-off that could see a lower exemption from Scheduling for agricultural products.

The date of effect of the Nonanoic Acid Decision: 1 June 2020.

For more Information see:

Notice of Final Decisions to amend (not amend) the current Poisons Standard, May 2020 (47 pages) [pdf docx](#)

From: www.tga.gov.au/scheduling-delegates-final-decisions

Food Chemical Issues

• **FSANZ: Concentrated Caffeine Products Food Risk**

March 2020 Risk Mitigation:

1/ FSANZ has prohibited the retail sale of powders or other dry food products containing ≥5% Caffeine, and the retail sale of liquids containing ≥1% Caffeine, to be used as foods or food ingredients.

2/ The Australian Dept of Agriculture could target imports of pure and highly concentrated caffeine products to enforce the proposed restrictions in the Code, with provisos.

FSANZ Rationale:

- Pure or highly purified forms of Caffeine pose an unacceptable acute health risk to consumers. Ingestion of small amounts of these substances can result in severe health effects, including death.

- The risk of serious health effects is compounded by the fact that these products typically need the consumer to self-measure Caffeine servings, and require fine scales to weigh an appropriate dose.

- To manage the risk to public health, Food Standards Australia New Zealand (FSANZ) has amended Standard 1.1.1 to provide that a food sold for retail sale must not contain total Caffeine present in a concentration of 1% (liquid form) or more, or 5% (powder or other non-liquid form) or more.

From: FSANZ: Imported Food Risk Statement - Pure and Highly Concentrated Caffeine Products (2 pages) [pdf docx](#)

Via: www.foodstandards.gov.au/consumer/importedfoods/Pages/FSANZ-advice-on-imported-food.aspx

• **A1193: Irradiation of ALL Fresh Fruit & Vegetables**

May 2020: This Application A1193 is to extend the option of food phytosanitary irradiation to ALL types of fresh fruits & vegetables.

Application A1193 seeks a variation to the Food Standards Code, Standard 1.5.3 Irradiation of Food (FSANZ 2017), to **replace** the list of 26 fruits and vegetables in the table in Division 2, section 1.5.3-3, sub-section 2, **with "fresh fruits and vegetables"**. This includes all those fresh fruits and vegetables presently described within Schedule 22 of the Food Standards Code plus any other fresh commodity generally understood to be a fruit or vegetable, including crops grown overseas. **Excluded from the application are:** Dried Pulses, Legumes, Nuts and Seeds.

The applicant, **Queensland Department of Agriculture and Fisheries (QLD DAF)**, regards the key advantages of irradiation are:

- It is subject to internationally recognized protocols (FAO IPPC 2003) and is unique among phytosanitary treatments as a broad-spectrum treatment for almost all important regulated arthropod pests (Follett and Neven 2006).

- Unlike competing treatments, long and costly research on host produce that have not been previously investigated is no longer required to prove effectiveness against fruit flies and most insects.
- It is a chemical-free treatment resulting in no harmful treatment residues on the produce and no release of any chemicals that may be harmful to the environment, including the ozone layer, or human health.
- It has the practical advantages of simplicity, application at the optimum storage temperature of the produce and independence from ambient conditions such as temperature, humidity and pressure. It is a rapid, well-tolerated treatment that is penetrating and applied to the commodity in its final packaging.

Overall the literature indicates that no significant micronutrient losses, specifically Vitamin C, are observed from individual fruits or vegetables treated with phytosanitary irradiation. Similar conclusions and a consequent finding that there would be no significant impact on the intake of dietary nutrients have been a basis for the previous approvals of individual or groups of fresh produce.

Other implications:

Environment - Greater use of irradiation as a phytosanitary measure will provide an alternative to Methyl Bromide (MeBr) fumigation which has detrimental effects on the Ozone layer (UNEP 2019) and potentially on human health (USEPA 2019, MPI 2019).

Consumers - Numerous surveys of consumer acceptance of irradiation have (previously) generally indicated consumer opposition or reluctance to purchase irradiated foods. There is now significant experience of consumers having the option to purchase irradiated food. A review of actual purchase behaviour suggests that while a fraction of the public will not buy irradiated food, a much larger fraction will (Roberts and Henon 2015). The mandatory labelling of irradiated fruit and vegetables provides consumers with choice when it comes to purchasing or not purchasing irradiated fruit and vegetables.

From: [Executive Summary](#) (8 page pdf)

From: www.foodstandards.gov.au/code/applications/Pages/A1193.aspx (May 2020)

Editor: As irradiation may cause chemical changes I thought it relevant to include this Note in the newsletter to alert everyone.

• A1194: Glucoamylase Processing Aid (Enzyme)

12 June 2020: This Application is to permit the use of Glucoamylase sourced from GM *Trichoderma Reesei* as a Processing Aid in the manufacture of bakery products, brewed products, potable alcohol and in starch processing.

[Application \(21 page pdf\)](#); [Supporting document 1 - Risk and Technical Assessment Report 21 pages \(pdf\)](#) | [\(word\)](#)

Submissions by 6pm (Canberra time) 21 July 2020.

FSANZ website via the link on [documents for public comment](#). Or email it to submissions@foodstandards.gov.au

From: www.foodstandards.gov.au/code/applications/Pages/A1194.aspx

• A1195: Alpha-Amylase Processing Aid (Enzyme)

9 June 2020: This application is to permit the use of Alpha-amylase as a processing aid in brewed beverages and potable alcohol production. The enzyme is derived from a genetically modified (GM) strain of *Trichoderma Reesei* expressing the alpha-Amylase gene from *Aspergillus Kawachii*.

[Application \(21 page pdf\)](#); [Supporting document 1 - Risk and Technical Assessment Report 18 pages \(pdf\)](#) | [\(word\)](#);

Submissions by 6pm (Canberra time) 21 July 2020.

FSANZ website via the link on [documents for public comment](#). Or email it to submissions@foodstandards.gov.au.

From: www.foodstandards.gov.au/code/applications/Pages/A1195.aspx

• P1050: Alcoholic Beverages Pregnancy Warning Label

14 April 2020: On 17 Feb 2020, FSANZ notified Ministers responsible for food regulation (the Forum) of its decision to require a pregnancy warning label on packaged alcoholic beverages sold in Australia and New Zealand.

On 20 March 2020, the Forum requested FSANZ review the amendment on the grounds that it places an unreasonable cost burden on industry. See the [Forum communique](#) & [notice of publication of the request](#) on the Food Regulation website.

FSANZ is re-examining industry cost estimates, with particular reference to colour requirements and signal wording, and is seeking further information from certain alcohol industry associations. Broad public consultation isn't being undertaken.

FSANZ Approval Report (17 Feb 2020, 131 pages, [pdf](#) | [docx](#))

– Supporting Document 1 - Pregnancy Warning Labels Literature Review (17 Feb 2020, 5 pages, [pdf](#) | [docx](#))

– Supporting Document 2 - Roy Morgan Alcohol Labelling Survey Report (19 Sept 2019, 88 pages, [pdf](#) | [docx](#))

– Supporting Document 3 - FSANZ Addendum to Roy Morgan Report (17 Feb 2020, 7 pages [pdf](#) | [docx](#))

FSANZ has until 22 June 2020 to notify the Forum of the outcome of its review. The Forum will then have 60 days to consider FSANZ's review report and decide whether to accept, amend or reject the amendment to the Code.

From: www.foodstandards.gov.au/code/proposals/Pages/P1050Pregnancywarninglabelsonalcoholicbeverages.aspx

• FSANZ: 3-MCPD & Glycidol in Vegetable Oils

March 2020: New Zealand Food Safety (NZFS), with input from FSANZ, did a snap-shot Survey of 3-Monochloropropanediol (3-MCPD) & Glycidol and their Esters in selected vegetable oils and infant formula. These contaminants are formed during oil processing (due to high temperature refining when they are being decolourised and deodorised).

The Survey found that: Levels of 3-MCPD Esters and Glycidyl Esters were found to be generally consistent with, or lower than international data.

[Survey Report](#) (March 2020 45 page pdf)

ISBN No: 978-1-99-001745-2 (online)

Also via: www.mpi.govt.nz/news-and-resources/publications/

Food Regulatory and Safety bodies around the world have known about 3-MCPD as a contaminant in various foods for many years.

FSANZ and NZFS have been involved in the development of the Codex Code of Practice for the reduction of 3-MCPD Esters and Glycidyl Esters in refined oils and food products made with refined oils, especially infant formula. This Code of Practice was adopted in 2019 and provides Guidance for producers and users to reduce the presence of 3-MCPD Esters and Glycidol Esters in refined oils (e.g. Canola, Soybean, Sunflower, Safflower, Walnut and Palm Oils).

FSANZ and NZFS agree that more research is needed to properly determine the level of risk these substances may pose to infants (and all consumers).

See their *Preliminary Risk Assessment of 3-Monochloropropanediol (3-MCPD), Glycidyl, and their Esters from Infant Formula* ([pdf](#) | [docx](#)) (6 Mar 2020, 21p)

These contaminants were surveyed as there is evidence that the parent compounds Glycidol and 3-MCPD (which are released from their Fatty Acid Esters during digestion) can cause adverse effects in laboratory animals. There are no findings from human studies. There is some concern internationally about the levels of these substances in the food supply because there is evidence that they cause cancer in laboratory animals.

From: www.foodstandards.gov.au/publications/Pages/3-MCPD-&-glycidol-in-oil-and-infant-formula.aspx

Agricultural Chemicals

• APVMA: New Cost Recovery Arrangements

18 May 2020: The APVMA will implement revised Cost Recovery arrangements, as outlined in the APVMA [Cost Recovery Implementation Statement](#) (CRIS) (18 May 2020, 52 page [pdf](#) | [docx](#)), on 1 July 2020.

The revised CRIS replaces the current fee structure.

APVMA Registration Renewal Fee increases
 FY2020–21 \$550/pa FY2021–22 \$600/pa

The APVMA Levy: Registrants of agvet products pay Levies based on the dollar value of sales (Disposals) on their Registered Products.

	Current
Levy tier 0: (annual product sales below \$5000)	0.00%
Levy tier 1: (annual product sales up to \$1M)	0.63%
Levy tier 2: (annual product sales between \$5M)	0.35%
Levy tier 3: (annual product sales greater than \$5M)	0.25%

A whole range of Fees for Services are then identified.

From: <https://apvma.gov.au/node/67676>

And: <https://apvma.gov.au/node/67671>

Editor: Annual product sales values are audited by the APVMA

• APVMA: Trifludimoxazin – New Ag Active

17 April 2020: An application for the approval of a new Ag active constituent, Trifludimoxazin, for use as a herbicide.

Common name: Trifludimoxazin (ISO); CAS Name: Dihydro-1,5-Dimethyl-6-Thioxo-3-[2,2,7-Trifluoro-3,4-Dihydro-3-Oxo-4-(2-Propyn-1-Yl)-2H-1,4-Benzoxazin-6-Yl]-1,3,5-Triazine-2,4(1H,3H)-dione; CAS No: 1258836-72-4; Formula: C₁₆H₁₁F₃N₄O₄S; MW: 412.3; Chemical Family: Triazinone; Mode of Action: Protoporphyrinogen Oxidase Inhibitor.

The APVMA has evaluated the chemistry aspects of Trifludimoxazin active constituent (identification, stability, physicochemical properties, manufacturing process, specifications, quality control procedures, batch analysis results and analytical methods) & found them acceptable.

The APVMA has considered the toxicological aspects of Trifludimoxazin, and concluded that there are no toxicological concerns regarding the approval of this active constituent.

Trifludimoxazin is in Schedule 5 of the SUSMP, with a cut-off to being unclassified when in formulations at ≤12.5% and with an implementation date of 1 February 2020.

From: *Ag&Vet Gazette*, 7 April 2020 p15-16 ([pdf](#) | [docx](#))

From: <https://apvma.gov.au/node/65671>

• APVMA: Hydroxypropyl Methylcellulose – Ag Active

21 April 2020: An application for the approval of a new Ag active constituent, Hydroxypropyl Methylcellulose, for use as an insecticide. (It is used as an emulsifier and thickener in the food industry, and in pharmaceuticals.)

Common name: Hydroxypropyl Methylcellulose; CAS Name: Cellulose, 2-Hydroxypropyl Methyl Ether; CAS No: 9004-65-3; Formula & MW: Unspecified, as it is a polymer, and the degree of methylation and hydroxypropylation can be varied; Structure: Partly O-Methylated & O-(2-Hydroxy Propylated) Cellulose; Chemical Family: Derivatized cellulose; Mode of Action: Acts as a sticky mesh-forming trap to mechanically immobilise target insects.

The APVMA has evaluated the specifications of Hydroxypropyl Methylcellulose active constituent and found them to be acceptable. The active constituent Hydroxypropyl Methylcellulose is manufactured to the standard of the United States Pharmacopoeia Monograph.

The APVMA has considered the toxicological aspects of Hydroxypropyl Methylcellulose, and concluded that there are no toxicological concerns to the approval of this active constituent. Hydroxypropyl Methylcellulose is used as an emulsifier and thickener in the food industry

Hydroxypropyl Methylcellulose is covered by the entry for Hydroxypropyl Cellulose in Appendix B of the SUSMP (Substances considered Not to require Control by Scheduling)

The APVMA is satisfied that the proposed use of Hydroxypropyl Methylcellulose would not be an undue hazard to the safety of people exposed to it during its handling & use.

From: *Ag&Vet Gazette*, 21 April 2020 p19-20 ([pdf](#) | [docx](#))

From: <https://apvma.gov.au/node/66301>

• APVMA: Zinc Borate – New Ag Active

21 April 2020: An application for the approval of a new agricultural active constituent, Zinc Borate (2ZnO.3B2O3.3.5H2O), for use as a treatment during manufacture of wood products (e.g. chipboard) for protection against borer, termites and fungal decay.

Common name: Zinc borate (2ZnO.3B2O3.3.5H2O); CAS Name: Boron zinc hydroxide oxide; Synonyms: Zinc Borate 2335, Zinc Boron Oxide HeptaHydrate; CAS No: 138265-88-0; Formula: B₁₂H₁₄O₂₉Zn₄; MW: 869.3; Chemical Family: Metal Borate.

The APVMA has evaluated the chemistry aspects of Zinc Borate (2ZnO.3B2O3.3.5H2O) active constituent (identification, stability, physicochemical properties, manufacturing process, specifications, quality control procedures, batch analysis results and analytical methods) and found them to be acceptable.

The APVMA has considered the toxicological aspects of Zinc Borate (2ZnO.3B2O3.3.5H2O), and concluded that there are no toxicological concerns regarding the approval of this active constituent.

Zinc Borate (2ZnO.3B2O3.3.5H2O) is covered by the entry for Zinc Borate in Schedule 6 of the Poison Standard.

Zinc Oxide (ZnO):	377–387 g/kg
Diboron Trioxide (B2O3):	475–489 g/kg
Water of Hydration:	135–150 g/kg

The APVMA is satisfied that the proposed use of Zinc Borate (2ZnO.3B2O3.3.5H2O) would not be an undue toxicological hazard to the safety of people exposed to it during its handling and use.

From: *Ag&Vet Gazette*, 21 April 2020 p23-24 ([pdf](#) | [docx](#))

From: <https://apvma.gov.au/node/66301>

Editor: The Diboron Trioxide (B2O3) CAS 1303-86-2 is a GHS Reproductive Hazard Category 1B. H360: May damage fertility or the unborn child, if swallowed

<https://echa.europa.eu/registration-dossier/-/registered-dossier/15317/2/1> and

<http://hcis.safeworkaustralia.gov.au/HazardousChemical/Details?chemicalID=1213>



The product the Ag Active Zinc Borate is in, is: *Borogard ZB Wood Preservative with 98.8% w/w Active*. The APVMA is satisfied that the proposed use of Borogard ZB Wood Preservative is not likely to be harmful to human beings if used according to the product label directions. From their Label: Add the Borogard ZB Wood Preservative (powder) using closed system application equipment i.e. screw feeder apparatus.

Editor: I feel concerned, as there is no alert to its Reproductive Hazard Category 1B on the APVMA approved label, nor any mention of special protection needed for persons when maintaining the closed system application equipment i.e. screw feeder apparatus, when contaminated with the powder.

• APVMA: Metcamifen – New Ag Active

5 May 2020: An application for the approval of a new Ag active constituent, Metcamifen, for use as a herbicide safener applied as a seed treatment in sorghum.

Common name: Metcamifen (ISO); CAS Name: 2-Methoxy-N-[[4-[(Methylamino) Carbonyl] Amino] Phenyl] Sulfonyl] Benzamide; CAS No: 129531-12-0; Formula: C₁₆H₁₇N₃O₅S; MW: 363.4; Chemical Family: Aromatic Sulfonamide.

The APVMA has evaluated the chemistry aspects of Metcamifen active constituent (identification, stability, physicochemical properties, manufacturing process, specifications, quality control procedures, batch analysis results, analytical methods) and found them to be acceptable.

The APVMA has considered the toxicological aspects of Metcamifen, and concluded that there are no toxicological concerns regarding the approval of this active constituent.

Metcamifen will be included in Appendix B of the SUSMP (Substances considered Not to require Control by Scheduling).

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

From: *Ag&Vet Gazette*, 5 May 2020 p17-18 ([pdf](#) | [docx](#))

From: <https://apvma.gov.au/node/67076>

• Ag-Water-Env: Phorate – Changed Export Conditions

5 May 2020: Conditions that apply to the Export of the active constituent Phorate, or products containing the active constituent Phorate, have changed.

The amendment was required to fulfil Australia's obligations under the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention).

The PIC procedure aims to ensure that countries do not Export chemicals, for use as pesticides, to other countries that have not provided their consent to receive them. Exporting parties must ensure that Exports do not occur when the Importing country indicates that it doesn't consent to an Import.

The amendment applies the PIC procedure to all Phorate concentrations.

For information contact: Agvet Chemicals Policy Section. Federal Dept of Agriculture, Water & the Environment.

ph: +61 2 6272 5337; email: AgVetPolicy@agriculture.gov.au

From: *Ag&Vet Gazette*, 5 May 2020 p21 ([pdf](#) | [docx](#))

From: <https://apvma.gov.au/node/67076>

• EPA USA: Neonicotinoids Interim Review Decision

19 May 2020: EPA USA's Proposed Interim Decisions for Neonicotinoids: Acetamiprid, Clothianidin / Thiamethoxam, Dinotefuran and Imidacloprid are now available to view below.

After publication in the Federal Register, EP USA will be accepting comments on these Proposed Interim Decisions for 60 days.

[Prepublication copy of the Federal Register Notice](#) Re-opened 19May2020: <https://beta.regulations.gov/document/EPA-HQ-OPP-2017-0750-0016>

From: www.epa.gov/pollinator-protection/proposed-interim-registration-review-decision-neonicotinoids

• EPA NZ: Neonicotinoids Reassessment

May 2020 Call for Information: As part of the EPA NZ's process for reassessing approvals for substances containing the Neonicotinoid insecticides Thiacloprid and Acetamiprid, the EPA NZ are calling for information on their use in New Zealand. Submissions close on 12 July.

EPA NZ would like information on the types of Thiacloprid- and Acetamiprid-containing substances that are currently being used in New Zealand, the ways in which the substances are being used, the prevalence of those uses, their positive or adverse effects, and specific mitigation measures that are being used to protect our environment.

EPA NZ also welcome any new information on Clothianidin, Imidacloprid and Thiamethoxam (that's become available since 30 Dec 2018, and was not submitted in the earlier call for information in Aug 2018).

There are a variety of substances containing Thiacloprid which may be used in the agricultural and horticultural sector as foliar sprays or home garden insecticides. Some of these substances are registered with the Agricultural Compounds and Veterinary Medicines (ACVM) group at the Ministry of Primary Industries. Substances containing Acetamiprid have EPA NZ approvals as home garden insecticides and timber treatments.

[Have your say on the call for information on thiacloprid and acetamiprid](#)

From: www.epa.govt.nz/public-consultations/open-consultations/call-for-information-on-the-neonicotinoids-thiacloprid-and-acetamiprid/

• EPA NZ: Diazinon, Fenamiphos & Methamidophos

14 May 2020: Grounds exist for the reassessment of substances containing Organophosphates: Diazinon, Fenamiphos or Methamidophos. These are organophosphate active ingredients in insecticides that kill bugs and insects in orchards, vineyards, vegetable and cereal crops.

The Vegetable Research and Innovation (VR & I) Board, is seeking a reassessment to extend the deadlines for phasing out the use of these substances in New Zealand.

From: www.epa.govt.nz/news-and-alerts/latest-news/grounds-established-for-reassessment-of-three-organophosphate-insecticides/

• Biological Products Database

Soil Wealth and Integrated Crop Protection have developed the Biological Products Database. It is a tool for growers to help navigate the array of 'Biological' products currently available to farming businesses.

The database was recently updated following its launch in 2019 to compile new information about current biological products on the market. The database includes products which are both registered & unregistered. This is a tool for what is available for use, not a recommendation of products.

From: www.soilwealth.com.au/resources/global-scan-and-reviews/biological-products-database/

From: Infopest Email 27 May 2020 www.infopest.com.au/

Dangerous Goods

• NTC: Land transport of Dangerous Goods - Issues

4 June 2020: NTC Issues Paper - Examining the legal framework for the Land Transport of Dangerous Goods.

Abstract: This paper provides an overview of the legislative framework for the Land Transport of Dangerous Goods by Road and Rail in Australia. It summarises the process implemented by States and Territories to adopt the Australian Dangerous Goods Code and explores potential improvements that could be considered to promote the consistent implementation of the Code's requirements. These potential improvements are intended to enhance the safe, efficient and productive transport of Dangerous Goods by Road and Rail across Australia.

Submissions: until Friday 3 July 2020

online at www.ntc.gov.au or

email: DKirk@ntc.gov.au Debra Kirk Manager Legislative Maintenance:

Paper: www.ntc.gov.au/sites/default/files/assets/files/NTC-Issues-Paper-Examining-the-legal-framework-for-the-land-transport-of-dangerous-goods.pdf

This paper begins to explore potential system improvements that could be made to improve the safety, efficiency and productivity of Australia's land transport of Dangerous Goods.

Also considered in this paper is a request to consider:

1. Whether the ADG Code should be adopted into Australian law using the 'Applied Legislation' model. This is the same model used by jurisdictions to adopt amendments to the Heavy Vehicle National Law made by the Queensland Parliament; and
2. Whether a common Operations Manual should be developed to be adopted by all jurisdictions to encourage a more uniform interpretation of the ADG.

There is a List of 10 Questions: Some of the Questions are:

Question 1: What impact has the staggered implementation of amendments had on your business?

Question 4: Thinking about the available national scheme structures, what approach has the potential to best achieve national consistency with greatest efficiency for the land transport of dangerous goods in Australia?

Question 6: What changes could be made to existing governance arrangements to mitigate differences across jurisdictions?

Question 7: Is placing the detail of duties on parties in the Code itself a viable option to achieve clarity and consistency about parties' specific obligations or are there other approaches that should be considered?

Question 9: What do you think is the best way to achieve uniform interpretation of Code requirements?

Question 10: If guidance material was created, which body should be responsible for its maintenance to ensure it remains contemporary and fit for purpose?

Background:

The general concepts of Dangerous Goods classification, packaging, marking, labelling and communication have been the subject of international conventions and codes to ensure global consistency and standardisation since 1957.

In Australia, a model law national scheme structure is implemented to promote regulatory consistency. This scheme includes a number of legislative instruments which contain administrative provisions, duties on parties and offences, and provides a mechanism to give legal effect to the Code. However, these instruments have no legal force in and of themselves and are required to be enacted by each individual state and territory government.

In data from 2002, Dangerous Goods accounted for 4% of total tonnes moved and 8% of the total tonne-kilometres travelled. Petroleum and petroleum products comprised nearly three quarters of all Dangerous Goods carried. The transport of Dangerous Goods impacts 104 of Australia's 108 recognised industries.

Appendix A is for Information in the Issues Paper:

7.1.1 Changing where the Duties sit & Adopting by Reference

In countries that implement the ADR, the regulations themselves contain only a general duty, requiring all parties to follow the requirements in the ADR. Chapter 1.4 of the ADR specifies the safety obligations of the participants, detailing which tasks or requirements each *participant is responsible for*. A copy of Chapter 1.4 of the ADR is contained in Appendix A.

(ADR - Agreement concerning the International Carriage of Dangerous Goods by Road)

From: www.ntc.gov.au/transport-reform/ntc-projects/improving-land-transport-dangerous-goods

• UN Papers re: Transport of Dangerous Goods

May 2020: UN Working documents that were to be discussed at the July 2020 meeting of the ECOSOC (UN) Sub-Committee of Experts on the Transport of Dangerous Goods.

Provisional Agenda for the 57th Session as at 17 April 2020.

ST/SG/AC.10/C.3/113/Add.1 (7 page [docx](#) [pdf](#)) *

* **Secretariat:** The 57th Session of the TDG Sub-Committee initially scheduled from 29 June to 8 July 2020 has been postponed due to the risks related to the spread of the Covid-19 virus and is now scheduled for 30 Nov to 8 Dec 2020. Preparatory work for the Dec 2020 Session is ongoing.

It is due to current travel restrictions, that the UN will not be holding a face to face meeting. Instead, discussion on the papers will be conducted by exchange of comments in writing.

www.unece.org/trans/main/dgdb/dgsubc3/c32020.html

Formal comment towards an Australian position was sort from specific specialists and the opportunity to comment finished at the start of June 2020.

Editor: I have included the UN Working Documents for some of the issues that caught my attention on the UN webpage.

ST/SG/AC.10/C.3/2020/58 - (Romania) Proposal of amendments concerning the use of the terms “Risk” and “Hazard / Danger” in the Recommendations & Model Regul’ns (4 pages [docx](#) [pdf](#)).

e.g. Replace “Risk of exposure” by “Likelihood of exposure, and the hazards involved,”; Replace “eliminate the risk of causing” by “prevent”; Replace “will not cause danger” by “will not present danger”; Replace “that could create fire hazard” by “with a potential to cause fire”.

ST/SG/AC.10/C.3/2020/42 - (ICPP, ICRR) Definition of recycled plastics material (3 pages [docx](#) [pdf](#)).

The definition of recycled plastic material, as set out in 1.2.1, is from the 1990s when the requirements were understandably conservative. In 2007, the definition was supplemented by the note, which provides more detailed information on the handling of recycled material. The text has not been modified in any other aspects and should therefore be brought into line with the current procedures.

ST/SG/AC.10/C.3/2020/39 - (Spain, CTIF) Optical differentiation of labels / placards for Gases (10 page [docx](#) [pdf](#)).

Modification of the labels would solve the difficulties for the first emergency responders (police, firefighters, etc.) to distinguish easily one label from another. This is essential as a possible mix up of the present labels could lead to erroneous responses at the site of an accident.

ST/SG/AC.10/C.3/2020/38 - (Spain) Interpretation Issue: Aromatic & Flavouring, UN1169 & UN1197 (6 page [docx](#) [pdf](#)).

It seems that both entries are covering the same reality, as the definitions for both substances overlap. Transport conditions for both UN numbers are the same in all modal regulations, too. It would be important to learn how industry classifies these substances, if there is an overlap in between both UN numbers; chemical companies could also provide some very valuable input on these aspects.

ST/SG/AC.10/C.3/2020/34 - (China) Proposals to amend Figure 33.2.4.1:(A) Cross-Section of the 250 mm long Mould in the Manual of Tests and Criteria (*Editor:* Mould for the Div’n 4.1 Burning Rate Test) (4 pages [docx](#) [pdf](#)).

Editor: Some deficiencies in the Cross-Section diagram of 250 mm long mould are proposed to be revised.

ST/SG/AC.10/C.3/2020/7 - (Republic of Korea) Toxicity of UN 2248, 2264 and 2357 (18 pages [docx](#) [pdf](#)).

“The Sub-Committee noted that the data provided by the Republic of Korea needed further consideration. It also noted that substances belonging to Class 8, Packing Group II &, because of their Inhalation Toxicity, to Division 6.1, Packing Group II, should be classified in Division 6.1 rather than Class 8. Some experts also thought that it would be important to check thoroughly whether the proposed changes in classification would not imply changes in conditions of transport.”

ST/SG/AC.10/C.3/2020/21 - (RPMASA, ICPP) Request for a new UN number for Cobalt Dihydroxide powder (3 pages [docx](#) [pdf](#)).

There is “a new challenge experienced for packaging and transport of Cobalt Dihydroxide, through the requirement for comprehensive GHS testing in the regulation concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), which had resulted in the drastic change of the transport classification from Class 9, UN 3077 ENVIRONMENTALLY HAZARDOUS SOLID, N.O.S. packing group (PG) III, to Class 6.1 TOXIC SOLID, BY INHALATION, Category 1, and PG I for which there was currently no UN number.”

• WA DMIRS: S&H of Dangerous Goods Waste

8 April 2020: This WA DMIRS Information Sheet advises the Waste Industry about the correct Storage and proper Handling of Dangerous Goods.

The key difference between Hazardous Chemicals and Dangerous Goods is that Dangerous Goods are classified according to their immediate hazards and associated risks, which includes fire, explosion, corrosion and poisoning that can affect property, the environment or people.

On the other hand, Hazardous Chemicals are classified based on their immediate or prolonged effect on a person’s health.

https://www.dmp.wa.gov.au/Documents/Dangerous-Goods/DGS_IS_DG_WasteIndustry.pdf (4 page pdf)

From: www.dmp.wa.gov.au/Safety/Information-sheets-and-16210.aspx

Environmental Notes on Chemicals

• Vic: New Environment Protection Act Postponed

23 April 2020: The new Environment Protection Act has been postponed to July 2021. Obligations to comply with new Act have been delayed to support Victorians to focus on dealing with Coronavirus (COVID-19)

Following a sitting of Parliament on Thurs 23 April, the Legislation has been postponed and is intended to commence on 1 July 2021. On that basis, EPA Vic will continue to regulate under the Vic Environment Prot'n Act 1970, including all existing Subordinate Legislation (Regul'ns & Statutory Policies including State Environment Protection Policies and Waste Management Policies) until the new commencement date.

From:

www.epa.vic.gov.au/about-epa/news-media-and-updates/new-environment-protection-act-postponed-to-july-2021

• ABC News: EPA Vic & Waste Chemicals Monitoring

22 May 2020: An external review of EPA Victoria by the consultancy firm Ernst & Young (EY) identified that Victoria's pollution watchdog had "unacceptable" practices that failed to properly monitor and track dangerous chemicals and sites across the state.

The EY report found a litany of failures throughout the organisation, including inadequate record keeping and a failure to properly monitor the transport of hazardous waste.

"Public intelligence data and information was not effectively used to inform the proactive identification of emerging issues or behaviours that may result in future noncompliance or risks to community safety," the Report found.

The Review was prompted after more than 6 million Litres of chemical waste were discovered at the warehouses as part of targeted inspections related to the 2018's West Footscray warehouse fire.

From: www.abc.net.au/news/2020-05-22/scathing-report-into-epa-victoria-finds-unacceptable-practices/12278082

• EPA Vic: Chemical Waste Mgmt E&Y Report

21 May 2020: Review into EPA's regulation of chemical waste.

EPA Vic has accepted all 22 recommendations by an independent review into its historical regulation of chemical waste that was commissioned by EPA Vic's independent Governing Board.

EPA Vic has already significantly improved its regulation of chemical waste by strengthening its pollution reporting, intelligence and waste transport systems and establishing a waste crime prevention inspectorate. 25 of 38 actions in response to the 22 recommendations, have been completed.

The Review's 22 Recommendations covered four Key Areas:

- Pollution Reports
- Intelligence Systems
- Waste Transport Certificates
- Policies and Procedures.

The summary on the EPA Vic's webpage provides an overview of the Review's findings and what the EPA Vic are doing to address them. e.g. The Review highlighted that processes for checking Waste Transport Certificates were both manual and time consuming.

The Independent Review was commissioned by EPA Vic's Governing Board following the discovery of illegally stored chemical waste across Melbourne's northern suburbs in late 2018 and early 2019.

www.epa.vic.gov.au/-/media/epa/files/about-epa/what-we-do/epa-regulatory-approach-chemical-waste-management-report.pdf (36 page Ernst & Young Report-21May2020, pdf)

From: www.epa.vic.gov.au/about-epa/what-we-do/compliance-and-enforcement/chemical-regulation-review

• EPA Vic: Hazelwood Mine Fire Sentence

19 May 2020: EPA Vic says today's Victorian Supreme Court sentencing decision to fine four companies a total of \$380,000 over the 2014 Hazelwood Mine Fire, sends a clear message to industry that pollution of our environment will not be tolerated.

The fine follows a guilty verdict in July 2019 against Hazelwood Pacific Pty Ltd, Australian Power Partners B.V., Hazelwood Churchill Pty Ltd and National Power Australia Investments Ltd.

EPA Vic Chief Executive Officer, Dr Cathy Wilkinson, said "This was grand-scale pollution that affected the environment and every member of the community".

The Victorian Supreme Court noted that the fire resulted in health, financial and psychological impacts on the local community and that a large number of people were exposed to the pollution that occurred as a result of the fire.

Each company was found guilty on all three charges:

- polluting the atmosphere so as to make it noxious, poisonous, or offensive,
- polluting the atmosphere so as to make it harmful to health, welfare, safety or property, and

- polluting the atmosphere so as to make it detrimental to any beneficial use.

The Hazelwood Mine fire began on 9 Feb 2014 and burned for 45 days. It was the largest and longest burning mine fire ever to occur in the Latrobe Valley. For most of the 45 days the fire burned, Morwell was blanketed in thick smoke, including inside homes and businesses. The mine site has an 18-kilometre perimeter and is up to 120 metres deep. 7000 emergency personnel fought the fire.

From: www.epa.vic.gov.au/about-epa/news-media-and-updates/news-and-updates/hazelwood-mine-fire-sentence

Also: www.worksafe.vic.gov.au/news/2020-05/hazelwood-power-fined-after-devastating-mine-fire re: OH&S Act Fine

• ABC News: Hazelwood Mine Fire - \$1.94M Fines

19 May 2020: The operators of Victoria's now-closed Hazelwood Power Station have been fined more than \$1.9M by the Supreme Court of Victoria over the 2014 mine fire which burned for 45 days, covering the area in smoke and coal dust.

The jury found the Hazelwood Power Corporation failed to adequately assess the risk of fire, did not have an adequate reticulated water system, failed to slash vegetation around the mine and left it too late to start wetting down areas around the mine.

From: www.abc.net.au/news/2020-05-19/hazelwood-power-station-latrobe-valley-2014-mine-fire-fine/12261858

Comment: Environment Victoria Campaigns Manager Dr Nick Aberle said: "The fines announced today are a drop in the ocean compared to the \$100 million of actual costs borne by the State of Victoria for the Hazelwood mine fire, let alone the health impacts felt by the community of the Latrobe Valley."

From: <https://environmentvictoria.org.au/2020/05/19/environment-victoria-response-to-hazelwood-mine-fire-court-case/>

• Supreme Court of Victoria: Hazelwood Mine Fire

19 May 2020:

Sentence – DPP v Hazelwood Pacific Pty Ltd & Ors

The EPA Matters (Video 3hrs 8m) ©Supreme Court of Victoria

www.streaming.scvwebcast1.com/sentence-the-epa-matters-hazelwood-pacific-pty-ltd-and-ors-tuesday-19-may-2-15pm/

Judgement pdf (48 pages) (from the Law Library of Vic)

<http://aucc.sirsidynix.net.au/Judgments/VSC/2020/T0279.pdf>

Sentence – R v Hazelwood Power Corporation Pty Ltd

The OH&S Matters (Video 1hr57m) ©Supreme Court of Victoria

www.streaming.scvwebcast1.com/sentence-the-ohs-matters-r-v-hazelwood-power-corporation-pty-ltd-tuesday-19-may-10am/

Judgement pdf (52 pages) (from the Law Library of Vic)

<http://aucc.sirsidynix.net.au/Judgments/VSC/2020/T0278.pdf>

From: www.supremecourt.vic.gov.au/ and

www.lawlibrary.vic.gov.au/library-services/keeping-date/library-bulletin (22 May 2020)

• Defence & PFAS: Federal Court of Australia Notices

5 June 2020 Settlement Notices: The Federal Court of Australia has issued Settlement Notices to members of the PFAS Contamination Class Actions against the Commonwealth of Australia in Williamstown, Oakey and Katherine.

Under the proposed settlements:

(a) the Commonwealth will pay (\$86 million (W) / \$34 million (O) / \$92.5 million (K)) (without admitting liability) to settle all claims by class members for property value losses, business losses and for inconvenience and distress (but not any present or future claim for personal injury);

(b) before any of this money goes to the class members, there will be deductions from the settlement(s),

Williamstown (W):

www.defence.gov.au/Environment/PFAS/Docs/Williamstown/CommunityNotices/FederalCourtOfAustraliaNotice.pdf (3 pages)

Oakey (O):

www.defence.gov.au/Environment/PFAS/Docs/Oakey/CommunityNotices/FederalCourtOfAustraliaNotice.pdf (3 pages)

Katherine (K):

www.defence.gov.au/Environment/PFAS/Docs/Tindal/CommunityNotices/FederalCourtOfAustraliaNotice.pdf (6 pages)

From: www.defence.gov.au/environment/pfas/

• FPAA: Selection and Use of Firefighting Foams

28 May 2020: Version 3 updates the information to include:

- a new and detailed section on environmental regulations (both local and global);
- updates on remediation technologies and recommendations for cleaning or change out of existing legacy foams;
- new information on environmental and firefighting performance indicators; and
- new insights on both Fluorinated and Fluorine free foams.

[IB-06 V3 Selection and Use of firefighting foams](#) (24 page pdf)

From: www.fpaa.com.au/technical/technical-documents/information-bulletins/ib-06-v11-selection-and-use-of-firefighting-foams.aspx

• National Pollutant Inventory (NPI) Data 2018–19

31 March 2020: Each year, more than 4000 industrial facilities estimate their emissions and waste transfers of toxic substances and report them to the NPI.

The NPI estimates emissions for 93 toxic substances and provides the source and location of these emissions around Australia.

Data on Emissions & Transfers for [2018-2019](#) now available.

Download [NPI data on data.gov.au](#)

From: www.environment.gov.au/news/2020/03/31/national-pollutant-inventory-npi-data-2018-19-now-available

And: www.npi.gov.au/

Standards & Codes

• AU Standards – <https://infostore.saiglobal.com/>

<https://infostore.saiglobal.com/en-au/Search/Standard/?sortKey=date-desc&productFamily=STANDARD>

AS 2809.1:2020: Road Tank Vehicles for Dangerous Goods. General requirements for all road tank vehicles. Published 9 April 2020, 31 pages, hardcopy: \$138.64, pdf 1user \$124.91, pdf 3users \$162.38, pdf 5users \$199.85.

AS 2809.2:2020: Road Tank Vehicles for Dangerous Goods. Road Tank Vehicles for Flammable Liquids. Published 9 April 2020, 22 pages, hardcopy: \$116.42, pdf 1user \$104.89, pdf 3 users \$136.36, pdf 5 users \$167.82.

CSA B625:2020: Portable Tanks for the Transport of Dangerous Goods. Design & manufacture of UN portable tanks and their approval by the Competent Authority of Canada. Published 1 March 2020, hardcopy: \$342.07, pdf \$293.19.

AS ISO 16111:2020: Transportable gas storage devices - Hydrogen absorbed in reversible metal hydride. Published 29 May 2020, 43 pages, hardcopy: \$198.67, pdf 1 user \$178.98, pdf 3 users \$232.67, pdf 5 users \$286.37.

AS/NZS IEC 31010:2020: Risk management - Risk assessment techniques. Published 9 April 2020, 116 pages, hardcopy: \$275.84, pdf 1 user \$248.50, pdf 3 users \$323.05, pdf 5 users \$397.61.

• Draft Standards Open for Public Comment

Standards Australia has updated its process for downloading a Draft Standard. Visitors are no longer able to download the drafts from the SAI Global Store. **All drafts are now available directly from Standards Australia** by clicking on "Download draft". There is a simple "word" search function.

<https://sapc.standards.org.au/sapc/public/listOpenCommentingPublication.action>

SA/SNZ HB 436.1: Risk Management Guidelines - Companion to AS ISO 31000:2018 **Part 1: Executives and Senior Mgrs.** 14 page pdf. Comment closes 22 July 2020.

www.hub.standards.org.au/hub/public/listOpenCommentingPublication.action

Note: Comment must be via the 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.

Also Joint NZ/AU Draft Standards:

<https://shop.standards.govt.nz/default.htm?mod=drafts&action=browseDrafts&draftTypeId=2>

As at 10 June 2020 - No relevant Joint NZ/AU Draft Standards

NZ Standards - www.standards.govt.nz/

Updated/New Standards

As at 10 June 2020: No relevant NZ Standards

• NFPA Codes, Reports, News

Newly Published NFPA Codes

All NFPA documents are at: www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards

Current NFPA Stds Newsletter: www.nfpa.org/Codes-and-Standards/Standards-development-process/NFPA-News (pdf)

NFPA News-&-Research: www.nfpa.org/News-and-Research

Standards Seeking Public Development Input

For a complete listing of NFPA standards accepting Public Input, please go to www.nfpa.org/publicinput

Standards Seeking Public Comment

For a complete listing of NFPA standards accepting Public Comment, please go to www.nfpa.org/publiccomment

Choose a document for comment from the [List Of NFPA Codes & Standards](#) or filter by Development Stage for "codes accepting public comment".

I did find: www.nfpa.org/Codes-and-Standards/Standards-development-process/How-the-process-works/First-Draft-Reports-and-Second-Draft-Reports and:

www.nfpa.org/Codes-and-Standards/Standards-development-process/How-the-process-works/First-Draft-Reports-and-Second-Draft-Reports/Annual-2020-First-Draft-Reports

As part of its commitment to enhancing public safety, NFPA makes its Codes & Standards available for **free online**.

Courses, Seminars etc, Networks

• DGAG Webinar Chat Meeting, 24 June & 26 Aug 20

Dangerous Goods Advisory Group Webinar meeting, **Wed 24th June (& 26th Aug 2020*)**, 5.30pm – 7.30pm Chat Meeting.*Assuming we can't physically meet at the MFB.

Info: www.haztech.com.au/click-this-tab-for-a-list-of-all-meetings-conferences-seminars-workshops/

For those who would like to be added to my Dangerous Advisory Group / Chemical Hazard Communication Network email for meeting & issues list, please email me at: Jeff.Simpson@haztech.com.au. You don't have to be in Melbourne, to be on this email meeting & issues alert list.

• RACI HS&E Seminar: Chemicals in the Environment

Seminar 2: New MS Detection Methods for Organic Environmental Contaminants. **When:** 18th June 2020
5.30pm-7.00pm AU E.StdTime

Speakers: Research Specialist and 2 Students

Price: RACI / Kindred Society Members / Students: **\$Free**.
For everyone else: **\$Free**. RACI Office 03 9328 2033
You may need to Create a New Account.

Details & Registration: https://raci.imiscloud.com/RACI/Web/Event_Display.aspx?EventKey=VHG1023 at www.raci.org.au

From: www.haztech.com.au under "Networking Meetings"

• IChemE Fundamentals of Process Safety, Brisbane

Brisbane, 13-17 July 2020 (Covid-19 may delay)

For staff keen to develop or improve their knowledge of process safety, hazards, risk and their management.

Cost: Non-Members \$4090, IChemE Members \$3565.

Email: austcourses@icheme.org, ph: 03-9642-4494

From: www.icheme.org/career/training/courses/fundamentals-of-process-safety/13-17-july-2020-brisbane-australia/

• IChemE Bulk Solids Handling for Chemical Engineers

Melbourne: Delayed - probably to Late 2020.

Process Operations. The flow of bulk solids is complex and not well covered in undergraduate courses.

Tailored specifically for chemical engineers and addresses this Blind Spot by providing a fundamental understanding of the science underpinning bulk solids flow behaviour together with simple, practical steps that can be taken to solve but ideally avoid common problems.

Cost: Non-Members \$1220, IChemE Members \$1100.

Email: austcourses@icheme.org, ph: 03-9642-4494.

From: www.icheme.org/career/training/courses/bulk-solids-handling-for-chemical-engineers/date-to-be-advised-melbourne-australia/

• IChemE Practical Distillation Technology Course

Melbourne: 17-19 August 2020 (Covid-19 may delay)

Process Operations. This course gives comprehensive coverage of distillation technology with particular emphasis on the problems that occur & how to solve them. It provides an excellent opportunity to develop a working knowledge of key techniques that can promote trouble-free operation and reduce distillation cost.

Cost: Non-Members \$4040, IChemE Members \$3515.

Email: austcourses@icheme.org, ph: 03-9642-4494.

From: www.icheme.org/career/training/courses/practical-distillation-technology/17-19-august-2020-melbourne-australia/

• IChemE HAZOP Leaders & Team, Sept 2020, Melb

Melbourne, 8–10 Sept 2020 (Covid-19 may delay)

This course provides effective, realistic training for HAZOP team members and leaders using examples drawn from a range of industry sectors.

As well as presentations covering all the essential aspects of the method, you will participate in workshops on HAZOP for continuing processes, sequential operations and computer-controlled plant. You will also learn more about the relationship between HAZOP and other hazard identification methods and hazard studies.

Cost: Non-Members \$4040, IChemE Members \$3515.

Email: austcourses@icheme.org, ph: 03-9642-4494

From: www.icheme.org/career/training/courses/hazop-study-for-team-leaders-and-team-members/8-10-september-2020-brisbane-australia/

• AIDGC Conference 2020: Sydney 25 Sept 2020

Our working theme this year is new and emerging technologies which pose different issues for storage, handling and transport. We already have one eminent speaker on lower carbon energy sources including hydrogen technology.

From: <https://aidgc.org.au/> & <https://aidgc.org.au/news-events/>

• IChemE Training – On-Line Courses

The on-line courses are available to purchase as on-demand recordings. For example:

[An Introduction to HAZOP](#) 2 CPD Hrs £149 + VAT

From: www.icheme.org/career/training/online-courses/

• Various Chemical Management Courses

See www.haztech.com.au for courses I am aware of:

www.haztech.com.au/hazardous-chemicals-management-training-resources-in-australia-nz/

Haztech Environmental: Chemical Hazard Classifications done & reviewed. SDSs prepared & reviewed. Labels prepared & reviewed. Chemical Management & Safety Regulatory Advice & Compliance: checked for NICNAS, APVMA, FSANZ, TGA; prepared & reviewed for Dangerous Goods & Combustible Liquids, GHS Hazardous Chemicals / Hazardous Substances, Environmentally Hazardous Substances, Scheduled Poisons, and other Chemical and Physical Hazards e.g. for Reactivity and Dust Explosion.

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 29 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, Website: www.haztech.com.au.

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