

International HEALTH & SAFETY Affairs NEWSLETTER

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U. S./Australian Chemical Industry Canberra Meeting on Chemical Control Laws

The International Affairs Group (IAG) met in Canberra, Australia, on September 27, and 28, 1984, with members of the Australian Chemical Industry Council (ACIC). Discussions focused on Australia's proposed law to implement notification and assessment scheme for new chemicals in mid-1985. In addition to IAG and ACIC representatives, key officials of the Federal Government and of two states, Victoria and New South Wales, and of the Australian Chemical Specialties Manufacturers Association participated in the meeting's discussions of several issues involved in controlling chemicals.

The Australian government announced in July 1983 that a mandatory nationwide notification and assessment scheme for chemicals new to Australia would be implemented in July 1985.

The scheme is patterned on the EEC Sixth Amendment; major features are (1) a core inventory* of existing chemicals marketed in Australia; (2) additions to this inventory of substances which were either manufactured in or imported into Australia at an annual rate of at least 1,000 kilograms during the five years ended December 31, 1983; (3) Premarketing Notification for new chemicals not on the final inventory, but exempting reaction intermediates and some polymers; (4) only limited information will be required for small-volume chemicals and R&D chemicals, so long as the latter are used at less than 1,000 kilograms per year.

The prospective manufacturer or importer of a new chemical subject to notification will be required to provide information similar to that required for Pre Marketing Notifications in the EEC, namely:

- Specific chemical identity, including CAS number and IUPAC name
- Anticipated application(s)
- Volume projections
- Manufacturing sites
- Analytical methods
- Recommended control measures (e.g., MSDS information)
- The OECD guideline minimum base set (MPD) of physico-chemical properties, toxicology, and environmental fate data.

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The Federal Government will evaluate this information for completeness and for risks to health or environment. If this information is found acceptable, it will be sent to the states and territories for these to determine the control measures required for manufacturing, transporting and marketing the chemical substance.

* This was announced as available after December 14, 1984, in Australian Government bookstores at \$20 AUS. per copy.

In these discussions with ACIC and government representatives, concerns were expressed on the following points:

- The imposition of a minimum-volume requirement for inclusion on the inventory of existing chemicals. This will jeopardize specialty chemicals and other low-volume materials if cumulative import or manufacturing volume later exceeds the reporting volume threshold. (IAG understands that there is agreement to remove this volume threshold, in part, at least, as a result of our discussions.)
- Substances in common trade in the U. S. and/or the EEC, but not in Australia, could face expensive testing and notification hurdles if no weight is given to listing on either the U. S. TSCA inventory or the EEC inventories. IAG urged that some less stringent notification scheme be considered for such materials, lest there be a significant barrier to Australian access to such substances.
- Involving a tripartite review by industry, labor, and (federal and state) government representatives of newly notified substances may aid in obtaining consensus on risk management. However, it seriously compromises confidentiality, since potential competitors might be reviewing notification dossiers.
- The time required to conduct these multiple reviews is likely to extend the period from initial notification to "permission" to manufacture or import, to six months or more.
- State governments' toxicology staffs have been oriented towards the management of pesticide and pharmaceutical risks. They may not be well prepared to deal with industrial chemicals.
- There is no industrial chemical product labeling law in Australia. State governments have a poor record of coordinating matters such as the placarding of dangerous goods and transport. ACIC and IAG urged that the evident possibilities for conflicts in product labeling and in transport across state lines be controlled by compatible requirements for labels and other information, such as Material Safety Data Sheets.
- ACIC and IAG stressed the need for protecting confidentiality of identities of some chemical substances but political pressures may unduly reduce such protection from disclosure.
- Other issues which were reviewed included implementation of Principles of Good Laboratory Practice, workers and community "Right-to-Know" laws, and the exchange of information on the export of dangerous substances.

The next six months will be a period of solidification of positions. ACIC is prepared to advance its positions vigorously to the national government. U. S. companies with Australian interests should provide every encouragement to ACIC's efforts.

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