



ISSUE>11 2010

Assessing chemicals for your protection

November 2010

Two decades young:

National Industrial Chemicals Notification and Assessment Scheme

17 July 2010 marked twenty years since the *Industrial Chemicals (Notification and Assessment) Act 1989* came into effect.

On 18 August, industry and community groups, former staff and current and past committee members joined representatives of associated departments, institutions and agencies and current NICNAS staff-members at a symposium that reviewed NICNAS's past work and looked forward to the future of industrial chemicals regulation here and abroad.

Pictured below are some of the participants of the day.



The NICNAS Annual Report 2009-10

was tabled in Parliament on 26 October 2010. An electronic copy of the report can be accessed at:

www.nicnas.gov.au/Publications/Annual_Reports/AR_2009_2010_PDF.pdf

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National Industrial Chemicals Notification and Assessment Scheme ANNUAL REPORT 2009-10				

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a word from the Director ...

We were delighted to welcome a number of past staff members, members of NICNAS's advisory committees and other stakeholders to a special Symposium to mark 20 years since NICNAS's establishment.

We were especially pleased that the Director of NICNAS from 1996 to 2006, Dr Margaret Hartley, was able to join us and provide her reflections from that period. We also welcomed the reflections of the inaugural Director of NICNAS, Dr Warwick Pearse, and Mr Tom Fisher of the former National Occupational Health and Safety Commission, on NICNAS's establishment phase, although they could not be present at the Symposium.



Dr Marion Healy

The Symposium explored the topic "The Changing Face of Industrial Chemicals Regulation" in terms of the current environment as well as those challenges that face us in the future and from the perspectives of all stakeholders.

Participants had lively discussions about their understanding of 'risk' and the level of risk that NICNAS should consider acceptable; the level of precaution that should be adopted and the levels of evidence required to assure protection of human health and the environment; as well as the balance between protecting our population and environment and deriving the benefits from an innovative and vibrant industry sector. Some of the challenges and observations to consider into the future related to the safe and sustainable use of industrial nanomaterials; adoption of the next generation of assessment methodologies; the changing nature of chemicals being introduced into the marketplace; and the changing approach to the regulation of industrial chemicals globally. We will be posting material to our website to give further insights into the nature of the discussion, which we are using in plotting our forward directions.

The [NICNAS Annual Report for 2009-10](#) is now available on the NICNAS website. I am pleased that NICNAS was able to deliver a high proportion of the workplan and activities anticipated for 2009-10, despite the challenging economic circumstances. Some of the highlights for the year included a significant expansion in the quality and quantity of stakeholder engagements and development of a comprehensive regulatory strategy to address potential risks posed by industrial nanomaterials and the appropriateness of current risk assessment protocols. We also completed major reviews of two chemicals, with risk mitigation recommendations, namely the use of sodium cyanide in gold mining, and use of diethylhexyl phthalate (DEHP) in children's toys and childcare articles and cosmetic products. We issued 176 new chemical assessment certificates and 135 permits (up 15 per cent over 2008-09) and saw a rise in the number of safer chemicals assessed based on their hazard and risk profile from 72 per cent in 2007-08 to 81 per cent in 2009-10.

We also moved with our advisory groups to establish mechanisms and criteria to conduct screening assessments on the unassessed chemicals listed on the Australian Inventory of Chemical Substances. Importantly for this project, as well as further streamlining of new chemicals notification and assessment processes, we continued to build the capacity to apply Quantitative Structure Activity Relationship models – with in-house training of staff on software that was purchased in 2008-09. We commenced a review of its cost recovery arrangements to meet the Australian Government Cost Recovery Guidelines, and further consultation on future arrangements will occur in early 2011. Notably our increased communication activities delivered a 9 per cent increase in visitors – totalling more than 42 million hits – to NICNAS's website during the year.



Our new Parliamentary Secretary

NICNAS welcomes Hon Catherine King MP as Parliamentary Secretary for Health and Ageing. NICNAS falls within her portfolio.

Ms King, who is the Federal Member for Ballarat, also serves as Parliamentary Secretary for Infrastructure and Transport.



Adjustments to NICNAS New Chemicals processes for industrial nanomaterials

Do you introduce nanomaterials that are new chemicals?

As an outcome of consultations on NICNAS's *Proposal for Regulatory Reform of Industrial Nanomaterials* (Nov 2009- Feb 2010 – see:

www.nicnas.gov.au/Current_Issues/Nanotechnology/Stakeholder_Consultation.asp) NICNAS is introducing new administrative processes for notifying and assessing industrial nanomaterials that are considered to be New Chemicals under Part 3 of the *Industrial Chemicals Notification and Assessment Act 1989* (the Act).

The new processes will start from 1 January 2011, and will apply to any new chemical that falls under the following working definition of 'industrial nanomaterial':

... industrial materials intentionally produced, manufactured or engineered to have unique properties or specific composition at the nanoscale, that is a size range typically between 1 nm and 100 nm, and is either a nano-object (ie. that is confined in one, two, or three dimensions at the nanoscale) or is nanostructured (ie. having an internal or surface structure at the nanoscale)

Noting that:

- intentionally produced, manufactured or engineered materials are distinct from accidentally produced materials
- 'unique properties' refers to chemical and/or physical properties that are different because of its nanoscale features as compared to the same material without nanoscale features, and result in unique phenomena (eg. increased strength, chemical reactivity or conductivity) that enable novel applications
- aggregates and agglomerates are considered to be nano-structured substances, and
- where size distribution shows 10% or more of a substance (based on number of particles) is at the nanoscale, NICNAS will consider this substance to be a nanomaterial for risk assessment purposes.

These new processes will be implemented by changes made to the NICNAS *Handbook for Notifiers*. Changes will be implemented administratively, with amendments to the Act or regulations to be made under the Act.

The administrative changes that take effect from 1 January 2011, cover Exemption, Certificate and Permit categories. Introducers will also be required to provide additional information under certain circumstances.

Details of these changes are available at:

http://www.nicnas.gov.au/Publications/Chemical_Gazette/pdf/2010oct_whole.pdf#page=14

Note: NICNAS will review the suitability of any amendments to current administrative arrangements at least 12 months after initial implementation.

More information

Prior to introducing these changes, NICNAS will offer training/outreach, and further information and details will be available on the NICNAS website.

For more guidance and/or advice, please contact:

Ms Nicola Hall

Phone: 02 8577 8871

Fax: 02 8577 8888

E-mail: nicola.hall@nicnas.gov.au



Monthly staff awards

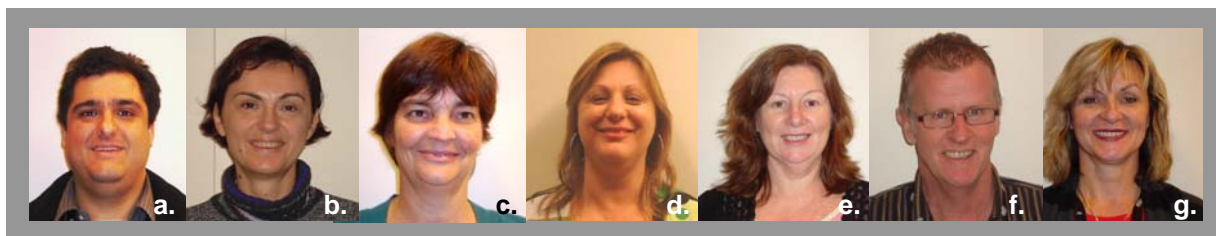
July 2010: John Attard (a) – For tireless efforts and tenacity in cleaning up outstanding NICNAS registration-related invoices. This 'clean-slate' will allow the Compliance & Enforcement team to concentrate on identifying new registrants and other core activities over the coming year.

August 2010: Julija Filipovska (b) – For perseverance in organising the QSAR Training Workshop for NICNAS and DEWHA (now Department of Sustainability, Environment, Water, Population and Communities DSEWPC), and associated activities such as organising an MOU with DSEWPC, following installation of software at two potential training sites, training prior to the workshop and liaising with the trainers in Bulgaria. And for finalising the DEHP assessment for publication!

September 2010:

1. All staff, especially: **Deanna Kettle (c)**, **Vicky Gaitanas (d)**, **Sandie Sinclair (e)** and the working group – For taking the role in leading the relocation process, commitment to following up small details, and willingness to assist staff to keep us on track. Their tireless effort ensured the smooth transition to the Elizabeth Street office.

2. All staff, especially: **John Sawkins (f)**, **Vicky Gaitanas (d)**, **Janet Blayney (g)** and the working group – For participation in and organisation of the NICNAS 20th anniversary symposium – a significant milestone for NICNAS – and the hard work of the organising team ensured that the day ran smoothly and was enjoyable for all.



October 2010: Cameron Dalgleish (h) and **Joshua Salisbury-Carter (i)** – For the excellent work they conducted to re-invigorate the NICNAS tune-up events despite considerable venue challenges. In addition, the award recognised **Cameron Dalgleish's** undertaking of the arduous task of compiling data, consolidating inputs from various sources and applying discretion and logic in providing information for the CRIS project – all done with a smile.

November 2010: Kylie Walker (l) – For showing initiative and professionalism in the upgrade audit project and managing the mail out collating information and producing mailing lists for about 143 organisations. Kylie completed the task within a week so that the audit process could be initiated much earlier than scheduled.



Welcome to new – and returning – staff

NICNAS welcomes Ms **Michele Jenkins (j)** to the Cost Recovery Impact Statement (CRIS) team and welcomes back to the Compliance and Enforcement team Dr **Adrienne Adams (k)**.



Release - for consultation - of draft NBPT report

The [DRAFT Secondary Notification Assessment report for NBPT](#) (N-(n-butyl) thiophosphoric triamide) has been released for public comment.

It can be accessed at:

www.nicnas.gov.au/Industry/Existing_Chemicals/PEC_Declarations/NBPT_Draft_Report_PDF.pdf



NICNAS staff long service awards

NICNAS's 20th Anniversary celebrations provided an opportunity to recognise NICNAS's many long-serving staff, with service of 10 or more years. They represent almost 30% of NICNAS's current workforce!

Pictured below (*l to r*) with the celebratory cake: **Stephen Zaluzny** (11 yrs), **Kerry Nugent** (12 yrs), **Sneha Satya** (18 yrs), **Deanna Kettle** (14 yrs), **Roshini Jayewardene** (11 yrs), **Kerrie Donaldson** (17 yrs), **Bill Diver** (20 yrs), **Julie Brown** (10 yrs), **Rosemary Sager** (16 yrs), **Hana Hamdan** (10 yrs), **Lorma Gutierrez** (12 yrs), **Nick Miller** (13 yrs). *Absent from the photo:* **Virginia Parish** (16 yrs), **Nian Chen** (16 yrs), **Subrata Bhattacharyya** (15 yrs), **Jun Zhang** (13 yrs), **Graham Harvey** (11 yrs) and **Venky Krishnamurthy** (10 yrs).



Household chemicals in the sights of terrorists

There are over 40,000 chemicals approved for use in Australia. Chemicals support our modern society and are used legitimately to fertilise soil, purify water or colour hair amongst other things. However some chemicals, which you could probably find in many kitchen cupboards or garages, are components for homemade explosives.

Everyday household chemicals have been successfully used by terrorists around the world to manufacture illegal explosives which have resulted in damage to property, mass casualties and fatalities. For example, the July 2005 London terrorist attacks used homemade explosives fashioned from hydrogen peroxide—a chemical easily available in most pharmacies, beauty retailers or pool shops. In the same year in Australia, police uncovered a terrorist plot involving a group of men from Sydney, some of whom were linked to purchases of hydrogen peroxide. In 2006 in Mumbai, terrorists attacked the suburban railway using bombs made from ammonium nitrate—a chemical commonly used in fertiliser. Last year, US law enforcement agencies arrested Najibullah Zazi, for plotting to detonate homemade explosives on the New York subway. Zazi had purchased hydrogen peroxide from beauty supply stores.

To help safeguard our country from terrorist activity, Australian's, particularly those involved with chemicals, are urged to be vigilant and to report suspicious chemical activity to the National Security Hotline (NSH) on **1800 123 400**. Every piece of information gathered is important and could provide the missing link for security or intelligence operations—the 2005 terrorist plot in Australia was pieced together by information provided to the NSH by a chemical retailer.

Given that the terrorist threat is dynamic, in the context of chemical security, it is important that industry report any unusual or suspicious chemical activity to the NSH on **1800 123 400**. Further information about chemicals of security concern, and tips on identifying suspicious activity can be found by visiting: <http://www.chemicalsecurity.gov.au/>.



Making New Chemicals notifications under bi- and multi-lateral work-sharing arrangements



Australia is unusual in that it recognises comparable overseas assessments – through bi- and multi-national agreements for sharing of new chemicals assessments. Through NICNAS’s arrangements with Canada, the US, and the OECD Clearing House on New Chemicals, Australian industry can benefit from reduced fees and minimisation of duplication of assessments for new chemicals notified in Australia.

Options for using overseas assessments

Option	Status of chemical overseas	Linkage with o/s company	NICNAS assessment category	Timing	Other requirements
1. Canada (foreign scheme)	Previously assessed as a new chemical in Canada	Required – Canadian notifier authorises release of Canadian reports to NICNAS	Standard, Limited or PLC	Request to Environment Canada to be made 60 days prior to notification to NICNAS	Conditions apply, including that Canadian assessment must have been in a comparable assessment category to the NICNAS notification
2. Canada	Previously assessed as a new chemical in Canada	Required – Canadian notifier authorises release of Canadian reports to NICNAS	Standard, Limited or PLC	Request to Environment Canada to be made 60 days prior to notification to NICNAS	Can be used if requirements for Canada Foreign Scheme are not met eg. if notification is not in a comparable assessment category
3. USA	Previously assessed as a new chemical in USA (USEPA)	Required – US notifier authorises release of USEPA information to NICNAS	Standard, Limited or PLC	Report to be provided to NICNAS prior to start of NICNAS assessment	-
4. EU	Previously assessed as a new chemical in EU (ELINCS) Not applicable to REACH	Required – EU notifier provides assessment report and letter of validation from EU authority	Usually Standard or Limited	Report and validation letter to be provided to NICNAS at time of notification	Of most benefit if assessed in a comparable assessment category
5. OECD Parallel Process (work sharing)	Planned to be notified in two or more OECD countries	Required – Co-notification involves relevant govt and industry representatives	Standard, Limited or PLC	Depends on preparation of hazard assessment by lead country	Dataset acceptable to all countries is agreed during the process

Details of the conditions and rules for making notifications using overseas assessments are available at: www.nicnas.gov.au/Industry/New_Chemicals/Foreign_Scheme_Notifications.asp

The information includes details specific to each option category, as well as the process itself, templates to use, fees, phases of the notification, as well as a Q&A sheet covering a wide range of questions on the various schemes.

 For more information, please contact the New Chemicals team on 02 8577 8800
 Freecall 1800 638 528.



Reminder: New Chemicals annual reporting obligations

Who needs to report?

- If you introduce new chemicals using a:
- Commercial Evaluation Permit, and/or
 - Low Volume Chemical Permit and/or
 - Controlled Use Permit and/or
 - Self Assessed Assessment Certificate and/or
 - ≤ 100 kg Cosmetic Exemption and/or
 - ≤ 1% Cosmetic Exemption and/or
 - ≤ 100 kg Non-Cosmetic Exemption and/or
 - ≤ 100 kg Research & Development Exemption and/or
 - Transhipment Exemption

then you are required to provide a report to the Director, NICNAS, stating the name and quantity of the chemical that was introduced.

Annual Reports for the 2009-10 registration year were required by 28 September 2010. If you have not submitted your annual report please contact NICNAS urgently via annual.reporting@nicnas.gov.au

1. Online reporting is available (enrolment required)

Organisations already enrolled:

Submit your Annual Reports and view all previously submitted data in one location by entering your NICNAS Organisation Number and ABN using the SignIn link:

<https://secure.nicnas.gov.au/arm/WebForms/SignIn.aspx>

New enrolments:

Enrol for Online Reporting using the SignIn link: <https://secure.nicnas.gov.au/arm/WebForms/SignIn.aspx> Select ENROL under the New Enrolment section on the SignIn page. NICNAS will acknowledge your Enrolment by confirming your password by e-mail.

2. E-mail reporting option

Annual reports can be submitted via e-mail to annual.reporting@nicnas.gov.au. Templates are available to help simplify the submission of e-mailed reports - permit/certificate and exemption templates are available for e-mail reporting at: http://www.nicnas.gov.au/Forms/Annual_Reporting.asp

3. Guidance material

Guidance material and additional information is available at: www.nicnas.gov.au/Industry/Reporting_Annually.asp

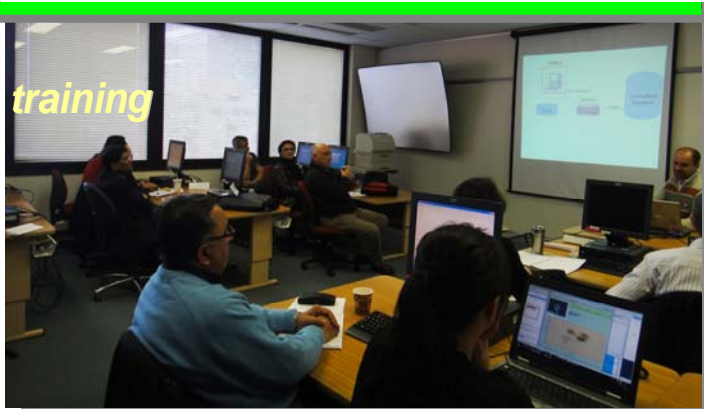
For more information, please contact:

Ms Susan Sicard

E-mail: annual.reporting@nicnas.gov.au

QSAR training

NICNAS New Chemicals and Existing Chemicals staff recently joined staff from other departments to train in the use of QSAR (Quantitative Structure Activity Relationship) methodology. This is part of the longer-term program for training assessors in use of the QSAR models.



Rotterdam Convention

Chemical Safety through shared responsibility, effective regulation and information exchange

The Rotterdam Convention:

- is a multilateral environmental agreement with the primary purpose of protecting human health and the environment.
- facilitates information exchange about chemicals (including severely hazardous pesticide formulations) that have been banned – or severely restricted – by one or more national governments.

The Prior Informed Consent (PIC) procedure – an integral part of the Rotterdam Convention –:

- enables countries to assess the risks associated with the use of chemicals which are listed in Annex III of the Convention (there are 40, listed at www.pic.int/home.php?type=t&id=29&sid=30), and decide whether or not they will allow future imports
- provides a formal means for obtaining and disseminating the decisions of countries regarding future imports of these chemicals. Exporting Parties are obliged to ensure that exports do not occur contrary to these decisions.


As the Australian Government regulator of industrial chemicals, (NICNAS) is responsible for implementing the obligations of the Rotterdam Convention domestically. To do this, NICNAS uses its regulatory tools:

- annual authorisation permits for the export of Annex III listed chemicals
- export notification for the import/export of banned or severely restricted chemicals
- desktop and fieldwork audit and compliance activities, and
- awareness-raising, training and outreach.

NICNAS has recently been refining its administration of the PIC program by increasing awareness and outreach activities, and improving audit and monitoring measures. We've also been reviewing our business processes to increase our efficiency in administering the program, and this has meant stakeholders can more readily meet obligations.

We plan to continue this program in 2010-11 and beyond – and are including a series of audits targeting introducers and exporters of tetraethyl lead (*see page 12 for more information*).

You can read more about Rotterdam Convention reforms and fieldwork activities on the NICNAS website: www.nicnas.gov.au/Treaties/Rotterdam_Convention.asp

 If you have comments or enquiries about the Rotterdam Convention and its requirements, please contact:

Ambrose Sharp
Program Manager,
Rotterdam Conv'tn
Ph: 02 8577 8816
E-mail: ambrose.sharp@nicnas.gov.au



*NICNAS Compliance and Enforcement team members
Graeme Rayner, John Attard, Ambrose Sharp and Joshua
Salisbury-Carter oversee NICNAS's PIC program.*



NICNAS launches superforms for certificate notifications

In response to feedback from notifiers, we have developed 'superforms' for you to use when notifying new industrial chemicals.

They are available on the NICNAS website from November 2010.

NICNAS's new superforms are intended to simplify our notification forms, reducing the number of forms required and minimising the duplication of basic information.



NICNAS's new premises at 260 Elizabeth St, Surry Hills, SYDNEY

Superforms have been developed for the Polymer of Low Concern (PLC), Standard (STD) and Limited (LTD) Assessment categories – with Form 1 (New Chemical Notification), Form 2 (Application for Variation of Schedule Requirements) and Form 3 (Application for Exempt Information) consolidated into a single form, minimising the duplication of basic information.

Standard (STD) and Limited (LTD) notification categories

Combined application forms have been developed for these categories. Two general application forms are available:

- o Form 1 has a template attached and is recommended as the first choice for notifiers. It should be completed and submitted electronically to NICNAS for all notifications where a rebate may be applicable.
- o Form 2 has a checklist in lieu of the template and allows for greater flexibility in the way in which data is provided to NICNAS. Any remittance in notification fees will not apply for use of this form.

Polymer of Low Concern (PLC) notification category

A single application form has been developed for this category.

To access the superforms go to: http://www.nicnas.gov.au/Forms/New_Chemicals.asp

Guidance information is provided within the forms to assist you, and a revised guidance document is available from the forms section of the NICNAS website to assist notifiers to complete the template section of the LTD/STD form.

To provide feedback and/or suggestions to NICNAS on how the forms could be made even more user-friendly, please contact:

Dr Jarrod Amoore
E-mail: jarrod.amoore@nicnas.gov.au

or

Dr Jacki Kitching
E-mail: jacki.kitching@nicnas.gov.au

SUBSCRIBE TO [NICNAS MATTERS](#) or to the NICNAS CEF's [COMMUNITY ENGAGEMENT BULLETIN](#) (see also the [Community page](#))

If you wish to sub-scribe to NICNAS Matters, please send an email to [the editor](#) marked "NM subscription" or "Community Engagement Bulletin subscription".

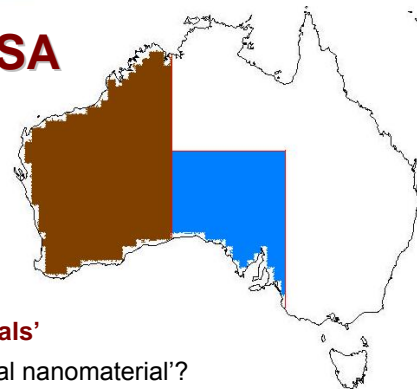
Click [here](#) to access the latest edition of the Community Engagement Bulletin.

Subscriptions are free of charge.



Training and awareness outreach: WA & SA

NICNAS officers will be in Perth and Adelaide 1 - 14 December 2010, conducting stakeholder training sessions. We are currently seeking *expressions of interest* in attending.



Proposed topics for presentations

'Introduction to NICNAS'

- Overview of regulatory obligations for all chemical introducers
- NICNAS Registration
- The Australian Inventory of Chemical Substances (AICS) and searching listed chemicals
- New chemical notification and assessment, including exemptions
- Annual reporting of chemicals to NICNAS
- Existing Chemicals
- Prior Informed Consent (PIC) chemicals
- NICNAS Compliance and Enforcement functions

'Cosmetics – your regulatory obligations'

- Overview of regulatory obligations for all chemical introducers
- What is a cosmetic and why assess them?
- NICNAS registration for imported or manufactured cosmetics
- 'Cosmetics' v 'therapeutic' goods
- Reporting requirements
- Australian Inventory of Chemical Substances (AICS)
- New industrial chemicals
- The Cosmetics Standard 2007
- The NICNAS Cosmetics Guidelines
- Cosmetics and toiletries – ingredient labelling

'Industrial nanomaterials'

- What is an 'industrial nanomaterial'?
- How nanomaterials are currently regulated
- Why is regulation needed?
- NICNAS's consultation results on a proposal for regulatory reform of industrial nanomaterials
- Administrative arrangement changes for nanoforms of new chemicals
- How to get more information.

Please contact us by 20 November 2010 if you are interested in attending the Perth or Adelaide 2010 training sessions by e-mailing outreach@nicnas.gov.au, indicating your contact details, industry sector / company, number of attendees, preferred city and which sessions you would like to attend.

We plan further outreach sessions in 2011 in other Australian cities, so please email outreach@nicnas.gov.au if you would like to be included in this program.

Further queries about industry training? Please phone 02 8577 8800 / Freecall 1800 638 528 or e-mail outreach@nicnas.gov.au.

Notifiers update sessions planned

A New Chemicals program Notifiers Update is planned for Sydney on Tuesday 30 November, 2010. We seek expressions of interest in this free information session, which will provide notifiers with an update on the latest activities and initiatives within the New Chemicals program. It will also provide notifiers with an opportunity to meet NICNAS assessors and ask them about new chemicals notification matters.

Date: Tuesday 30 November, 2010
Time: Half-day (likely 1.30 – 4.30pm)

Cost: Free
Venue: TBA

Topics:

1. Introduction of the new, streamlined notification 'superforms'
2. How to submit new applications under the cooperative arrangements with the US and Canada
3. Update on progress of regulatory reforms for industrial nanomaterials
4. How the Low Volume Chemical (LVC)-1000 and LVC100 permit categories work
5. The differences between free Early Introduction Permits (EIP) and other EIP types.

Interested in attending? Please contact (as soon as possible):

Ms Julie Brown Ph: 02 8577 8870 E-mail: industry.training@nicnas.gov.au

We also invite you to provide additional topics that you'd like covered – or let us know if you'd like to attend a similar session in Melbourne.



NICNAS registration renewal 2010-11

Registration of introducers and manufacturers of industrial chemicals is an important activity in the NICNAS calendar.

Since 1997 NICNAS has been a primarily cost recovered Australian Government agency with the NICNAS Registration program being the major funding source. The registration year runs from 1 September to 31 August.

In preparation for the (recently commenced) 2010-11 year, renewal tax invoices and application forms for renewal of registration/non-renewal were mailed to all registrants in July 2010. Since then, industrial chemicals introducers – 85% of our 4,700 registrants – have achieved a far higher-than-previous level of on-time registration.

At NICNAS, administrative changes to the registration renewal process have resulted in business process improvements which have optimised both the effectiveness and timeliness of the program. **If you have not yet registered, please contact NICNAS.**

For more information about the NICNAS Registration program, please see the NICNAS website: <http://www.nicnas.gov.au/Industry/Registration.asp>

If you have comments or enquiries about NICNAS Registration, please contact:

 NICNAS Registration
Ph: 02 8577 8800
E-mail: registration@nicnas.gov.au

NICNAS hosts visitor from Taiwan

NICNAS was recently provided with an excellent opportunity to link in directly with Taiwan's workplace competent authority – the Department of Labor Safety and Health, Council of Labor Affairs (CLA).

The Australian Government Department of Education, Employment and Workplace Relations' Endeavour Program Team (www.endeavour.deewr.gov.au) conferred the Australian Endeavour Awards to a Senior Specialist from the CLA, Ms Li-Ching Tseng (**Jean Tseng**) – pictured at right with Head of Science Strategy and International Programs – Dr Sneha Satya.



During Jean's six-week stay at NICNAS she also made a presentation on Taiwan's industrial chemicals regulation, submitted a report comparing industrial chemicals management in Australia and Taiwan and the establishment of international links between the two, and familiarised herself with NICNAS's activities on industrial chemicals regulation in Australia.

The Endeavour Executive Awards – a merit-based program – provide professional development opportunities for high achievers in business, industry, education or government from participating countries. The Awards focus on building skills and knowledge through a host work environment rather than through formal enrolment in a study program at a host institution. They are not intended to fund direct academic research.



Secondary sunscreen audit

Compliance auditing is an important part of the Compliance and Enforcement program's role to ensure industrial chemicals introducers meet legislative requirements. We recently completed an audit of cosmetics products containing secondary sunscreen to ensure they comply with all relevant requirements under NICNAS's *Industrial Chemicals Notification and Assessment Act 1989* and the *Cosmetic Standard 2007*.

We randomly purchased an 'audit sample' of 22 skincare and 15 face and nail cosmetic products containing secondary sunscreen. We purchased them from a variety of outlets (including discount pharmacies and department stores) and they came from a range of manufacturers and price categories.

The audit monitored the products' compliance with our cosmetics requirements, including:

- NICNAS registration
- *Australian Inventory of Chemical Substances (AICS)* listing of ingredients
- Standard for the Uniform Scheduling of Medicines and Poisons (SUSMP) listing
- UV filters approved for use in sunscreen by the TGA, and
- Meeting of *Cosmetic Standard 2007* requirements for secondary sunscreen / conformity with AS/NZS 2604:1998.

Potential non-compliance issues we noted of included:

- a number of new chemicals were identified
- non-compliance with AS/NZ 2604:1998, and
- scheduled poison ingredients present in products (in particular, ingredients restricted or prohibited for use in cosmetics).

NICNAS will update relevant cosmetics guidance documentation to reflect information that emerged as a result of the non-compliance issues raised through the audit. In addition, these concerns will be addressed with audited companies to ensure future compliance in these areas.

More information about cosmetic regulation in Australia can be found on the NICNAS website:

http://www.nicnas.gov.au/Current_Issues/Cosmetics.asp If you have comments or enquiries about cosmetic regulation please contact:

NICNAS Cosmetics: 02 8577 8877 / E-mail: cosmetics@nicnas.gov.au

Rotterdam Convention audit

NICNAS compliance officers will be conducting compliance audit activities during December 2010 – February 2011 for introducers and exporters of Rotterdam Convention Annex III listed chemicals (*see page 8 for more details*). These audits aim to increase awareness of the compliance program, ascertain compliance with PIC annual authorisation and notification requirements, and assist companies to improve their compliance systems where necessary.

The audits are designed to provide a proactive approach to monitoring the import/export of banned or severely restricted chemicals requirements under the *Industrial Chemicals (Notification and Assessment) Act 1989*, and the *Rotterdam Convention*, and aims to provide awareness to industry regarding their obligations when dealing with these chemicals.

This audit program provides NICNAS with opportunities to: identify, assess and rectify non-compliance; gather and analyse data to assist NICNAS evaluate and develop education, training and compliance strategies; promote voluntary compliance by industry; and increase industry and public confidence about regulation of these chemicals.

During the site visits, NICNAS officers will check importers' and exporters' documentation (over five years) relevant to the import and export of Annex III chemicals, which may include:

- | | |
|------------------------------------|---------------------------------|
| • Bill of lading certificates | • Material Safety Data Sheets |
| • Multimodal Dangerous Goods Forms | • Export notification approvals |
| • Cargo and freight labelling, and | • Invoices |

For more information about the Rotterdam Convention Audit Program please contact:

Lewis Norman, Head of Program, Compliance and Enforcement, NICNAS
02 8577 8854 / E: lewis.norman@nicnas.gov.au



International Chemical Safety update

Bilateral arrangements with New Zealand

Following a bilateral meeting between NICNAS and Environmental Risk Management Authority, New Zealand ([ERMA NZ](#)) in July 2010 at NICNAS in Sydney, an MOU and workplan were finalised.

The MOU – which has now been signed – replaces the original MOU signed in November 2002.

The MOU explores specific areas of cooperation between the two agencies.

At right: Mr Rob Forlong, ERMA NZ's Chief Executive pictured with NICNAS's Director Dr Marion Healy



OECD

Clearing House on New Chemicals

The Clearing House has focused its attention this year on the improvements to the functioning of the work-sharing arrangements for new chemicals notification (known as the 'Parallel Process'). Additional projects are being explored by the working group that could support the Parallel Process, and the development of outreach documents to promote the work of the Parallel Process. Recently, the *Modus Operandi* agreement was finalised by the Clearing House. This is an agreement by a government/jurisdiction to participate in the Parallel Process for work-sharing under the OECD Clearing House on New Chemicals. This *Modus Operandi* is a statement of intent and is not legally binding. If you are interested in learning more about this activity or participation in the Clearing House, please contact NICNAS New Chemicals Program.

The next meeting of the Clearing House on New Chemicals will be hosted by the United States Environmental Protection Agency (US EPA) in Washington DC. The meeting is planned for two and a half days and is expected to be held adjacent to the APEC Chemicals Dialogue meetings around the first two weeks of March 2011.

Survey of Perfluorinated Chemicals

NICNAS developed the final draft of a report on the results of an OECD survey conducted in 2009 on the production, use and release of **PFOS, PFAS, PFOA PFCA**, their related substances and products/mixtures containing these substances following discussion at a teleconference of the OECD Steering Group on Perfluorinated Chemicals. Perfluorinated chemicals are being monitored as they are known to be persistent in the environment and some of them produce adverse health and environmental effects. The 2009 survey, together with previous surveys will assist in monitoring potential contributions of PFOS, PFAS, PFOA and longer chain length perfluorocarboxylic acids (PFCA) to the environmental loadings of these chemicals.

New NICNAS publications

REPORTS [PEC Assessment Report No. 32 - Diethylhexyl Phthalate \(DEHP\)](#)

[DRAFT Secondary Notification Assessment report for NBPT](#) (N-(n-butyl) thiophosphoric triamide)

CHEMICAL GAZETTES [August 2010](#) - [September 2010](#) - [October 2010](#) - [November 2010](#)

OTHER INFORMATION [Portfolio Budget Statements - DoHA](#)

[Naturally-occurring chemicals – Guidance notes](#)

[Scheduling of medicines and poisons – Therapeutic Goods Administration](#)



Upcoming events

AT HOME

November

- 15 Nanotechnology Advisory Group (at NICNAS)
- 23 IGCC 38 (at NICNAS)
- 30 New Chemicals Notifier's update – Sydney (see page 10 for details)
- 28 – 1 Dec [ASCEPT Annual Meeting](#), Melbourne, Victoria
- 30 – 3 Dec Australian Chemical Diversion Conference ([email for details](#)) Perth, WA

December

- 1-14 NICNAS outreach sessions in Perth and Adelaide (contact outreach@nicnas.gov.au or 1800 638 528 for details)
- 2 CEF 24 (at NICNAS)
- 3 Reviewing the national inventory workshop (at NICNAS)
- 4-8 28th Annual [Australian Institute of Occupational Hygienists \(AIOH\) conference](#), Hobart, Tas
- 7 Technical Advisory Group (NICNAS / teleconferencing)
- 9 Existing Chemicals Review Implementation Advisory Group (at NICNAS)

2011

February 7 Industry Engagement Group (at NICNAS)

April 7-10 Australian Society of Cosmetic Chemists Conference, Brisbane (see <http://www.ascc.com.au/events.php?id=38>)

May 11-12 HAZMAT 2011 Olympic Park, Sydney

ABROAD

November

- 15-19 OECD Joint meeting, Paris
- 19-21 [Nanotech India Conference](#), Cochin, India

December

7-9 UN 20th Subcommittee of experts of GHS – classification and labelling of chemicals, Geneva, Switzerland

2011

January (TBA) Second session of the Intergovernmental Negotiating Committee for a Legally Binding Instrument on Mercury and other OECD meetings, Japan

March

(TBC) OECD Clearing House on New Chemicals, Washington, USA

9-11 8th Meeting of Working Party on Manufactured Nanomaterials, Paris

28 – April 1 Rotterdam Convention CRC-7, Rome, Italy

May Stockholm Convention COP-5, Buenos Aires, Argentina

June

13-17 OECD Joint Meeting, Paris

20-24 Rotterdam Convention COP-5, Geneva, Switzerland

Contacting NICNAS

Do you have an industrial chemicals issue or matter you would like to raise with us? Please feel free to call or write to us. Our contact points are: **Freecall:** 1800 638 528 **Email:** info@nicnas.gov.au

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