



Australian Government
Department of Health and Ageing
NICNAS

Summary of information given to the Director under subsection 21AA(1)

Section 21 of the *Industrial Chemicals (Notification and Assessment) Act 1989* (the Act) allows for the introduction of new chemicals into Australia provided the chemicals meet certain requirements stipulated in subsections 21(4) and 21(6) of the Act. New chemicals which satisfy the requirements of subsections 21(4) and 21(6) are exempt from the notification requirements of the legislation. A summary of the exemption categories and their criteria for use is provided in Table 1.

Table 1. Exemption categories

Exemption description	Criteria for use
100 kg cosmetic exemption	<ul style="list-style-type: none">• Introduced quantity cannot exceed 100 kg in any 12 month period.• Introducer must be satisfied that the chemical poses no unreasonable risk to the public, workers exposed to the chemical, or the environment.
100 kg non-cosmetic exemption	<ul style="list-style-type: none">• Chemical cannot be for cosmetic use• Introduced quantity cannot exceed 100 kg in any 12 month period.• Introducer must be satisfied that the chemical poses no unreasonable risk to the public, workers exposed to the chemical, or the environment.
1% non-hazardous cosmetic exemption	<ul style="list-style-type: none">• Chemical must be introduced in a finished cosmetic product at no greater than 1%.• Chemical must be a non-hazardous chemical as defined by the Act.
100 kg research and development exemption	<ul style="list-style-type: none">• Introduced quantity cannot exceed 100 kg in any 12 month period.• Chemical must be introduced solely for the purpose of research, development, and analysis
Transshipment exemption	<ul style="list-style-type: none">• Chemical must remain under the control of Customs at all times before leaving Australia.• Chemical must leave Australia within 30 days.

Industrial chemical introducers are required to report to NICNAS every year on any chemical introduced under these exemption provisions (section 21AA). Reported information on these chemicals provided during 2008/09 has been collated and the following is a detailed summary of this information.

Number of chemicals introduced

A total of 5617 new chemicals were reported during 2008/09 as being introduced under the exemption provisions during the previous registration year. This includes 1575 chemicals reported as being introduced at up to 10 kg for which no chemical name or other details were provided. The distribution of all reported chemicals among the five exemption categories is shown in Figure 1.

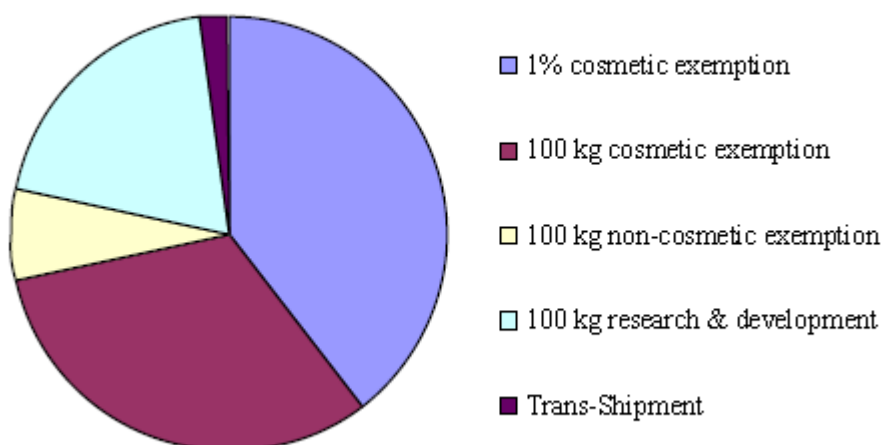
Use of chemicals introduced

Cosmetic chemicals represent 71% of all chemicals reported under the exemption provisions with over half of these cosmetic chemicals (55%) being introduced under the 1% non-hazardous cosmetic exemption category.

Of the chemicals for which full details were reported (identity and use category), printing, education research and analysis, and surface coatings represent the most common non-cosmetic chemical use categories accounting for 56% of all chemicals reported for non-cosmetic uses.

The distribution of chemicals introduced under the exemption provisions across various industry categories is illustrated in Figure 2.

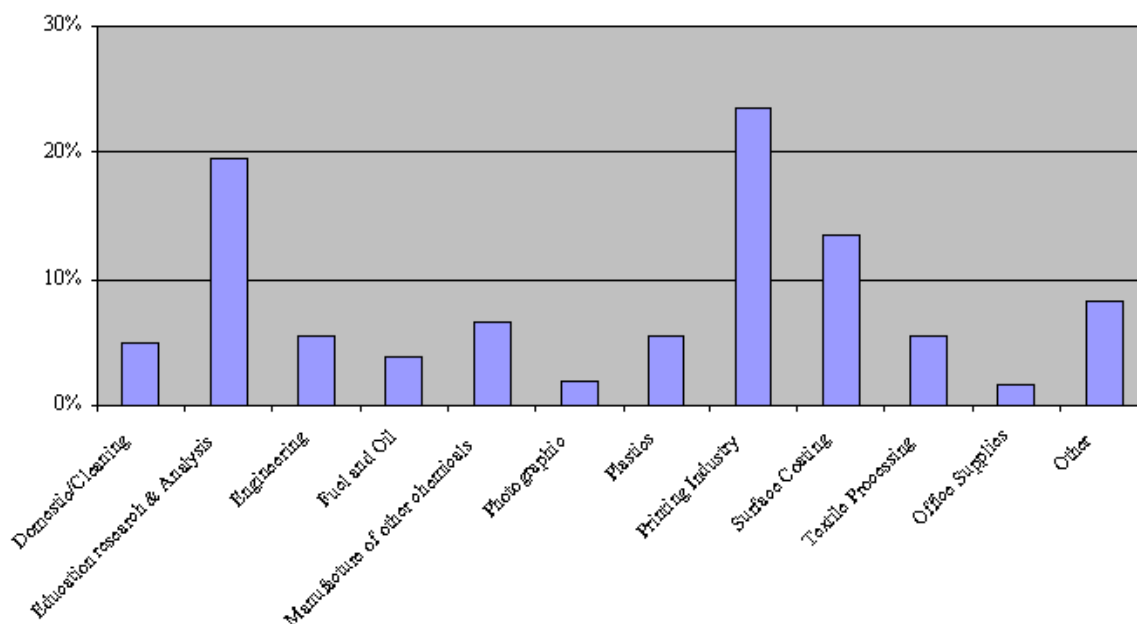
Figure 1. Exempt chemicals by category



Use environment

The use scenario for the non-cosmetic exemption categories were almost exclusively industrial with the exception of two chemicals used in domestic cleaning products and five reported chemicals used in fuels and oils which were indicated as suitable for both domestic and industrial use.

Figure 2. Industry distribution of non-cosmetic exempt chemicals



Quantities Introduced

To reduce the burden on reporting introducers the exact quantity of an introduced exempt chemical is not required. Introducers are however required to report a quantity range for each chemical (0-10 kg, >10-100 kg, >100 kg). The distribution of reported chemicals across these quantity ranges are provided in Table 2.

Table 2. Distribution of reported chemicals by quantity

Quantity description	Number of chemicals
Up to 10 kg	4165
>10-100 kg	1429
>100kg (Transshipment or up to 1% Cosmetic)	11
>100kg (Beyond permit limit)	12

74% of all reported chemicals were introduced at quantities of 10 kg or less. Twelve chemicals were reported as exceeding the 100 kg threshold in either the 100 kg cosmetic or non-cosmetic exemption category. These chemicals exceeded the exemption threshold from 4 kg to over 700 kg. The instances of non-compliance associated with these chemicals have been managed by the NICNAS Compliance and Reporting Team as self-reported breaches of the legislation.

Reporting Organisations

A total of 135 organisations provided information on exempt category chemicals. A summary of the number of chemicals reported by these organisations is provided in Table 3.

Table 3. Number of chemicals reported per organisation

Number of chemicals introduced under exemptions	1 - 10	11 - 20	21-50	51-100	> 100
Number of organisations	74	23	17	8	13

55% of reporting organisations reported ten or less chemicals being introduced under the exemption provisions. Thirteen organisations reported greater than 100 chemicals.

Common chemicals

334 chemicals were reported by multiple introducers. Of these chemicals 263 were reported by between two and five organisations with an additional 44 chemicals reported by up to nine organisations. 27 chemicals were introduced by 10 or more organisations with one chemical reported independently by 48 introducers.