
Additional actionable proposals

The following is a compilation of actions proposed by the Commission throughout the body of the report. They are secondary to the main recommendations, but nonetheless, in the Commission's view, would contribute to the more effective and efficient regulation of chemicals and plastics in Australia.

4. National hazard and risk assessment

NICNAS should improve its guidance to applicants for confidential listing of chemicals on the Australian Inventory of Chemical Substances.

NICNAS should consider industry concerns with the operation of its self-assessment provisions and its research and development exemption provisions as part of the general review of the low regulatory concern chemical reforms.

NICNAS should investigate opportunities for greater utilisation of quantitative structure activity relationship modelling in its assessments.

NICNAS should investigate opportunities for further integration with international assessment regimes including through wider recognition of overseas schemes as 'approved foreign schemes'.

5. Public Health

Poisons scheduling and regulation

A RIS should be undertaken for any amendments, undertaken by the National Coordinating Committee on Therapeutic Goods, to the overall design of the Poisons Standard where they are not minor or machinery in nature. As well, the proposed Chemicals Scheduling Committee should be charged with responsibility to determine whether a RIS should be undertaken for significant scheduling decisions.

Where scheduling decisions need to be made quickly in an emergency, the Secretary of DOHA should be empowered to make those decisions out of session,

with limited or no consultation. The decision should be reviewed, following the normal advisory and consultation processes, as soon as practicable.

Labelling requirements for consumer products

If, after the completion of the EU cosmetic regulation reforms, stakeholders identify problems due to inconsistent requirements in Australia, the ACCC should review the Information Standard for cosmetics and the scope for implementing deemed-to-comply arrangements for cosmetic products.

6. Occupational health and safety

Updating the Hazardous Substances Information System

It should be mandatory for the Australian Safety and Compensation Council to update the Hazardous Substances Information System whenever a new National Exposure Standard is declared under the Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment.

Generic material safety data sheets

The Commission supports the approach of Worksafe Victoria and the Western Australian Commission for Occupational Safety and Health of warning users of 'generic' material safety data sheets that they may not be meeting their obligations under occupational health and safety regulations if they use these documents.

7. Transport safety

National Transport Commission funding for the development of dangerous goods transport regulations

The Australian Transport Council should consider the cost to the National Transport Commission (NTC) of developing and maintaining dangerous goods regulation as part of the scheduled legislative review of the NTC in 2008.

Amalgamation of dangerous goods and explosives transport regulation

Improved governance arrangements and more nationally consistent regulatory outcomes in explosives transport regulation are needed before an amalgamation with dangerous goods would be prudent. If this consistency is achieved, the ATC and WRMC should examine the merits of amalgamating the regulation of dangerous goods and explosives transport.

Transition period for the introduction of the ADG7 package

Given the delays and uncertainty surrounding the introduction of ADG7 and the move to model legislation, the Commission considers a 12 month transition period is appropriate. This period should commence after fulfilment of the COAG directive for jurisdictional implementation of the ADG7 package by December 2008.

8. Agricultural and veterinary products

APVMA should accelerate its Chemical Review Program and work to eliminate the backlog of existing products identified for review.

APVMA should monitor the international developments on cumulative risk assessment methodology and policy, and investigate the feasibility of their implementation in Australia.

APVMA should apply data protection provisions for agricultural and veterinary products to the addition of new uses to registered products and to permit applications.

The case for a publicly funded research and registration program for minor pesticide uses has not been established.

The reforms facilitating the utilisation of provisions for ‘listed’ and ‘reserved from registration’ agricultural and veterinary chemical products should proceed as a matter of urgency.

Suppliers should not be required to apply to APVMA for approval of changes to aspects of the product label that are outside of the APVMA’s scope of operations.

APVMA should establish a consultative mechanism that utilises industry experience on pesticide application issues.

APVMA should make a greater effort to recognise aspects of overseas hazard and risk assessments.

10. National security

Storage and handling

There is a case for further research to be undertaken to determine appropriate safety distances, and for the establishment of agreed evidence based criteria, for the storage and handling of SSAN.