

NSW Government Submission

In response to the Productivity Commission's Draft Research Report on Chemicals and Plastics Regulation

Contents

<u>Section A: Summary of key issues and recommendations</u>	1
<u>Section B: NSW comments and suggestions</u>	2
<u>3. National policy formulation and system governance</u>	2
<u>4. National hazard and risk assessment</u>	3
<u>5. Public health</u>	6
<u>6. Workplace safety</u>	8
<u>7. Transport safety</u>	9
<u>8. Environment protection</u>	10
<u>9. National security</u>	11
Attachment: Specific technical comments and factual corrections	12

Section A: Summary of key issues and recommendations

The Productivity Commission's recommendations address many of the key concerns raised by NSW in its previous submission. Representatives of NSW have appreciated and benefited from discussions held with the Commission over the course of the Study to date and would welcome continued discussions on areas of identified concern or where further clarification of the detail behind key principles or concepts is needed.

NSW supports the Commission's proposals on:

- The proposed cross-portfolio national policy setting mechanism, subject to further suggested refinements being investigated;
- Acceleration of the risk assessment of existing chemicals;
- Separation of responsibilities for scheduling and regulation of poisons from drugs;
- Adoption of nationally uniform regulatory controls on poisons and regulating users of poisons in the industrial environment via appropriate workplace substances regulations;
- A formalised approach for the risk management of chemicals in consumer articles, subject to environmental components being addressed;
- Streamlining adoption of maximum residue limits in food;
- Investigating more uniform regulation of major hazard facilities;
- Replacement of the ASCC with a new national body, provided this is consistent with Ministerial Council agreements; and
- Transport safety.

If implemented, a number of the Commission's recommendations would have significant implications for agencies and legislation that protect the people of NSW from chemical risks. Clarification and further discussion is sought on the following proposals:

- Details of the proposed four level governance model;
- Details surrounding the operation and role of a new environmental standard setting body;
- Proposed reforms to the role of the national industrial chemicals regulator, the *National Industrial Chemicals Notification and Assessment Scheme (NICNAS)*;
- Proposed reforms to the agvet legislative framework;
- Details of the proposed role of the ACCC in the chemicals management framework;
- The timelines for implementation of GHS in Australia;
- The relationship of national security recommendations to existing processes; and
- Various labelling issues.

Section B: NSW comments and suggestions

This section of the Submission provides further detail in relation to the issues that NSW considers the Commission needs to consider, review and/or clarify in the Final Report.

3. National policy formulation and system governance

NSW comment:

- *Recommendation 3.1, the establishment of a cross-portfolio national policy-setting and coordination mechanism, is supported. However, the Final Report should clarify:*
 - *whether this policy outcome is best delivered by a new Standing Committee on Chemicals, or whether other models such as utilising existing Standing Committees with improved cross-portfolio coordination could deliver more resource efficient and effective outcomes; and*
 - *how the proposed Standing Committee on Chemicals would be resourced and how it would operate to maximise its effectiveness and efficiency, including more detailed consideration of membership, reporting structures and responsibilities relative to existing Standing Committees with chemical responsibilities.*

Rationale:

The Commission notes in section 3.4 that there is a strong need for a forum for developing national policy leadership and coordination that would be inclusive of the views of all sectors. NSW strongly supports this intent. It would be useful if the Final Report could provide more guidance on the various coordination models considered by the Commission and a comparison of the net benefits of a new Standing Committee over other options. Key issues such as how the proposed mechanism of a Chemicals Standing Committee would operate, including its membership, responsibilities and reporting structures should also be elaborated in the final report. NSW would welcome being a party to discussions on these issues.

NSW comment:

- *In relation to the Commission's proposed four-tiered governance model, the Final Report should:*
 - *include further explanation of the differences in proposed powers and responsibilities between the APVMA and NICNAS;*
 - *clarify the placement of the ACCC in this framework by including it in Tables 1 and 3.2; and*
 - *clarify the role and operation of the environment standard setting body (for discussion on this aspect, refer to the section on the environmental recommendations)*

Rationale:

There is a disparity in the Commission's proposed new framework between the proposed responsibilities and powers of the APVMA (whose role covers risk assessment and risk management/standard setting functions and would be expanded further to cover 'control-of-use') and NICNAS (whose powers would be narrowed and whose role would cover risk assessment only). The responsibilities of the APVMA do not appear to align with the four tier governance model (i.e. it would apparently cover both levels two and three, although it is noted that the Commission has advised that it may in the future be possible to separate the agvet chemicals risk assessment function from subsequent risk management decision-making). It would be helpful if the Final Report included further explanation of the proposed operations of the agvet versus industrial chemicals models.

A number of the Commission's recommendations refer to the Australian Competition and Consumer Commission (ACCC), yet the ACCC is not included in Table 1 of the Draft Report. It would be helpful to show how the ACCC would fit into the overall regulatory system under the Commission's preferred institutional arrangements, and to provide more detail on the proposed role of the ACCC for managing chemicals in consumer articles.

NSW Comment:

- *NSW supports the proposed separation of policy development and regime oversight from the assessment of chemical hazards and risks. However, the Commission's preferred institutional arrangements for key chemicals regulation frameworks appear inconsistent with this approach, in relation to chemicals of security concern.*

Rationale

The draft report indicates that in the area of chemicals of security concern, the Attorney General (and nominated state and territory ministers) would be responsible for policy oversight and the Chemical Security Unit in the Attorney General's Department would be responsible for hazard and risk assessment. NSW suggests that the Commission should consider arrangements that achieve greater independence of these roles.

4. National hazard and risk assessment

Industrial chemicals

NSW comment:

- *The Commission should review its proposal for NICNAS to lose its power to annotate the Australian Inventory of Chemical Substances (AICS).*

Rationale:

NSW considers that the AICS has significant potential as an information tool. It would enable information on a chemical to be centrally located and accessible by industry, community and regulatory agencies. For example, where specific advice is available on a chemical (such as an Alert), or there are agreed conditions on the use of the chemical in Australia (such as a secondary notification requirement), the AICS could provide a 'one stop shop' for industry, State and Territory regulators and other stakeholders to access. Consideration needs to be given to how such information could be centrally and efficiently provided to government, industry and community stakeholders if the ability to annotate AICS is removed. The Final Report should also clarify what would happen to existing annotations if the power is removed.

NSW comment:

- *Recommendation 4.4, relating to the acceleration of the review of existing ('grandfathered') chemicals, is strongly supported by NSW.*

Rationale:

Recommendation 4.4 – that "NICNAS should implement a program to greatly accelerate the assessment of existing chemicals" and that this should be Commonwealth funded – is strongly supported by NSW. NSW agrees that this would be a major work program and would require additional resources. Increasing the use of overseas data or risk assessments where feasible and valid is also supported, noting it would need to be supplemented with local data and the re-assessment of risk where use patterns, affected groups or receiving environments differ.

Risk assessment processes

NSW comment:

- *The Final Report should clarify what the Commission means when it refers to separating the 'risk assessment' and 'risk management' aspects of chemical assessments and how these functions would be divided between relevant institutions.*

Rationale:

Further clarification from the Commission in its Final Report on this issue would be valuable, particularly in the context of the links between NICNAS and the proposed environmental standard setting body. Risk management is usually defined as the overarching process that includes risk assessment, risk mitigation, risk communication and risk identification. Standards Australia has developed a risk management standard (AS/NZS 4360:2004) and, in line with other overseas standards, defines risk management as the whole process of looking at risk. NSW notes that any assessment and management model should take into account the complexities of chemicals management and acknowledge that risk assessment and risk management are integrally linked. It should also adopt best practice (i.e. internationally and nationally accepted and effective risk management models and standards).

NSW comment:

- *The intent of Recommendations 4.1 and 4.5, relating to the proposed incorporation of cost-benefit analysis into risk assessments undertaken by APVMA and NICNAS, are supported, subject to further clarification.*

Rationale:

Recommendations 4.1 and 4.5 propose that both NICNAS's and the APVMA's overriding objectives should be to maximise net community benefit, and that their assessment requirements and outcomes should be supported by analysis of the associated costs and benefits.

NSW recognises that a cost-benefit analysis is an important part of any good regulatory process. However, it is important that any such analysis does not impose unnecessary delays or costs.

The Final Report should clarify the extent of cost-benefit analysis that is required, at what point in the risk assessment process should be undertaken, and whether it should only be required for major decisions such as bans or phase-outs of chemicals or applied to all risk mitigation measures.

It is important in meeting the objective to 'maximise net community benefit' NICNAS and APVMA give due consideration to health and environmental benefits.

In the case of NICNAS, the requirement to undertake cost-benefit analysis appears to be inconsistent with the Commission's proposal to limit its role to 'scientific' assessment of risk.

NSW comment:

- *The Commission should review whether it is appropriate to include the assertion that NICNAS and the APVMA are currently "overly risk averse" in the Final Report.*

Rationale:

If this opinion is to be retained in the Final Report, it would be preferable for further supporting evidence to be added. There are many limitations on risk assessment processes, including limited theoretical understanding of the systems we are aiming to protect, data limitations (availability, variability, applicability), measurement and

analytical limitations, lack of detailed information on use patterns/quantities and lack of post-market monitoring information. Where there is high uncertainty and inadequate or variable information, expert assessment is likely to require conservative assumptions.

In a layperson or 'non-technical' sense, it is additionally noted that the view of the broader community is that the current assessment processes are insufficiently risk averse. NSW can provide the Commission with relevant community views on the management and regulation of chemicals from its recent *Who Cares about the Environment* community surveys.

Agvet chemicals

NSW comment:

- *In relation to Recommendation 4.6, the Final Report should clarify the proposed division of responsibilities between the Commonwealth and States/Territories, and in particular:*
 - *all those aspects of agvet regulation which the Commission considers should be subject to national control-of-use standards and those aspects of regulation where local state and territory flexibility should be allowed;*
 - *should note the need to utilise best-practice national standards; and*
 - *compare the cost and benefits of vertical integration with a well-targeted program of legislative harmonisation by states and territories.*
- *Also in relation to Recommendation 4.6, the Final Report should clarify what is meant by the term "commensurate reduction in regulatory burden".*

Rationale:

NSW agrees that there is a case for achieving better harmonisation of the regulatory frameworks in place to manage the control of use of agvet chemicals and that Recommendation 4.6 is worth further consideration. NSW acknowledges that achievement of the objectives of the National Registration Scheme is reliant on the seamless integration of functions currently undertaken by the Commonwealth (risk assessment and standard setting) and the States and Territories (control of use). NSW has been active in driving successful efforts to minimise gaps or inconsistencies in the agvet regulatory system.

Any national control of use scheme will need to retain the capacity to implement risk management controls at a local level. To this end, NSW welcomes the Commission's acknowledgement that local regulators are best able to recognise and respond to local problems and notes that further discussion with the States and Territories will be warranted.

NSW currently has a best practice control-of-use framework for managing pesticides and veterinary products. NSW's regulatory system achieves excellent outcomes in protecting human health, the environment and trade. Therefore NSW would be supportive of a national scheme that maintains the level of protection provided by the NSW standards.

While noting the potential benefit of vertically integrating the agvet management framework, any further consideration of this step needs to be evaluated against the option of retaining existing state/territory legislation while pushing more vigorously on greater harmonisation between the jurisdictions (for example on off-label use of pesticides, licensing, training and record keeping requirements).

NSW suggests that the Commission also undertakes further discussion with the States and Territories on what is meant by the term "commensurate reduction in regulatory

burden” at the State and Territory level with a view to this being clarified in the Final Report. For example, NSW envisages that it would be inappropriate to withdraw regulation of fumigants and pest eradication products used in domestic and industrial settings from the normal OH&S controls designed to protect workers and bystanders from harm.

For a vertically integrated agvet system to function effectively, NSW suggests that the above points are key issues that will require substantial consultation with the states and territories.

5. Public health

Poisons

NSW comment:

- *Recommendations 5.1, 5.2 and 5.3 are supported and the Commission should note their alignment with existing NSW policy and legislative arrangements.*

Rationale:

NSW agrees that national uniformity should be achieved in the regulation of medicines and poisons (chemicals) and has pursued this as a policy objective. To this end the *NSW Poisons and Therapeutic Goods Act* was amended in 1996 to allow relevant codes, standards and so on to be adopted by reference. The current regulation adopts national standards for the packaging and labelling of chemicals by reference, without modification. In addition, the national classification system for medicines and poisons (the *Standard for the Uniform Scheduling of Drugs and Poisons*) is adopted automatically by reference into the NSW Poisons List under the legislation. This not only ensures uniformity of classification but also ensures uniformity in the timeliness of the introduction of any changes.

NSW notes that Recommendation 5.1 complements the recent COAG Review of Commonwealth, State and Territory Drugs, Poisons and Controlled Substances Legislation which also recommended the separation of the medicines and poisons classification process at the national level. This has been supported by NSW, has been agreed to by the Australian Health Ministers Conference and is expected to be implemented later in 2008. There is no need to amend the NSW legislation (Act or Regulation) to accommodate this change.

As outlined above, recommendation 5.2 is already consistent with the current NSW policy. Similarly, as Clause 19 of the *NSW Poisons and Therapeutic Goods* regulation gives effect to recommendation 5.3 there is no need for further legislative amendments in this State.

Consumer articles and cosmetics

NSW comment:

- *In relation to Recommendation 5.4, the Final Report should note current progress of the Ministerial Council on Consumer Affairs advisory committee investigating the clearing house approach.*

Rationale:

Recommendation 5.4 proposes that the Australian Competition and Consumer Commission establish a ‘*broadly-based hazard identification system based on a clearing house approach*’ for the collection of information on health and safety issues around chemicals released from consumer articles. NSW notes that the same recommendation was made by the Productivity Commission in its *Review of the Australian Consumer Product Safety System*, published in 2006. The

recommendations of the 2006 Review relating to hazard identification, information sharing and early warning systems are currently being considered by an advisory committee to the Ministerial Council on Consumer Affairs, chaired by Commonwealth Treasury, which will report back to the Ministerial Council by the end of 2008. There would be merit in the Commission liaising with the advisory committee and noting its progress in the Final Report.

NSW comment:

- *Recommendation 5.5 is supported, but the scope of the arrangements must also address environmental issues associated with chemicals in articles.*

Rationale:

The proposed new arrangements between NICNAS and the ACCC are supported and could also provide an opportunity to consider mechanisms for providing information to consumers and regulators about chemicals in consumer products. However the Draft Report does not appear to recognise environmental issues associated with chemicals in articles, which NSW considers should also be explicitly included under the arrangements to be developed between NICNAS and the ACCC. There is already evidence of the movement of certain chemicals from consumer articles into different components of the environment (air, water, soils, sediments, wildlife, vegetation, humans etc). For example, brominated flame retardants (BFRs) have been found in Tasmanian devils despite no BFR manufacture in Tasmania. There are also significant issues for waste reuse and recycling programs from the chemicals contained in waste consumer products, such as heavy metals and BFRs in electronic equipment.

NSW comment:

- *In relation to Recommendations 5.6 and 5.7, the Final Report should:*
 - *clarify whether the proposed transfer of responsibilities to the ACCC is contingent on implementation of the Commission's other recommendations regarding NICNAS;*
 - *clarify what monitoring is needed to ensure such a transfer maintains or improves compliance with the Cosmetics Standard 2007; and*
 - *provide further justification for its proposed 'deemed to comply' labelling provisions.*

Rationale:

NSW notes that recommendation 5.6 – to transfer responsibility for the Cosmetics Standard 2007 from NICNAS to the ACCC – is linked with the Commission's proposals to focus NICNAS's role on scientific chemical assessment activities. It would be useful for the Final Report to clarify whether such a transfer of responsibilities should still occur if NICNAS was to retain or expand its current role and powers. It would also be useful if the Commission could consider what type of monitoring program should be established to ensure that the transfer does not result in a deterioration in compliance with the Standard.

NSW recognises that Recommendation 5.7 – to institute 'deemed to comply' provisions for labelling on fully imported cosmetics from specified countries – could provide efficiencies, but considers that this proposal needs to be thoroughly justified in the Final Report. A possible concern with this recommendation is the potential to shift the burden of proof on inappropriate claims away from the manufacture/importer and onto the regulator. It would be very useful if the Final Report more clearly addressed the issues that led the ACCC to conclude such a proposal would be impractical to implement (page 124). It would be beneficial for the Final Report to include further explanation as to how 'sufficiently comparable policy outcomes' may be measured and whether Australia should retain the right to set labelling requirements if concerns emerged with the local applicability of overseas schemes. Further explanation could

also be provided as to how the consumer protection obligations of the *Trade Practices Act* on importers would be retained.

Diversion of Chemicals to Illicit Drug Manufacture

NSW comment:

- *Recommendation 5.8 is not supported at this time, but rather the Ministerial Council on Drug Strategy could be asked to consider options for nationally consistent regulation of precursor chemicals and apparatus.*

Rationale:

There may be some value in developing a national risk-based schedule of drug precursors and considering nationally consistent regulation. However, it would be premature to ask the Ministerial Council on Drug Strategy to develop illicit drug precursor regulations for adoption by all jurisdictions. It would be preferable, in the first instance, for the Ministerial Council to be asked to consider options for nationally consistent regulation of precursor chemicals and apparatus.

Food safety

NSW comment:

Recommendation 5.9 is supported and the Commission should note interim arrangements being implemented in NSW to address this issue.

Rationale:

Recommendation 5.9 – that APVMA Maximum Residue Limits (MRLs) should automatically carry across to the Food Standards Code (allowing for a right of Food Standards Australia New Zealand (FSANZ)/Food Regulation Ministerial Council veto provided transparent reasoning based on cost benefit analysis) – is supported. NSW agrees this would simplify the process of setting MRLs, but notes there are some further details that could usefully be included in the Final Report. The Commission could clarify with FSANZ what further value its appraisal of the MRL provides and if significant note which aspects should be incorporated into the APVMA's determination process. Similarly, the implications of FSANZ review subsequent to the adoption of an MRL will need to be explained, to ensure that new complications are not introduced into the regulatory system. As an interim measure NSW is currently investigating the potential to recognise a MRL once set by the APVMA through amendments of relevant definitions in the *NSW Pesticides Regulation*.

6. Workplace safety

NSW comment:

- *Recommendation 6.1 is supported, noting current NSW initiatives on regulation of major hazard facilities.*

Rationale:

NSW acknowledges that there is merit in exploring opportunities for more nationally consistent regulation of major hazard facilities. NSW is currently introducing a MHF regime under its occupational health and safety (OHS) legislation which will take the form of a provisional registration scheme and which is generally consistent with the *National Standard for the Control of MHF*. However the Commission should acknowledge that nationally consistent requirements may not be appropriate in all areas of MHF regulation. Because the National Standard was developed in 1996 and does not address the current security environment, jurisdictions have been required to

implement security controls on MHF that reflect the most up-to-date assessment of the nature and level of potential local security threats. The security environment differs across Australia and nationally consistent security requirements will not be appropriate in all areas of regulation. The draft *Inter-Governmental Agreement for Regulatory and Operational Reform in OHS* also allows jurisdictions to mirror model laws as far as possible while having regard to local legislation drafting protocols and links to other existing OHS requirements.

NSW comment:

- *Recommendation 6.2 needs to be amended in the Final Report to acknowledge that there will be progressive implementation of the GHS in Australia between 2008 and 2015.*

Rationale:

Recommendation 6.2 proposes adoption of the Globally Harmonised System of Classification and Labelling (GHS) with a delayed implementation in line with Australia's major trading partners. In practice, implementation in some sectors will progressively commence from 2008 in both Europe and Australia. Therefore some of the benefits of harmonisation can be realised earlier than the proposed timetable.

NSW comment:

- *Recommendation 6.3 should be qualified in the Final Report to make clear that current OH&S requirements should not be diminished.*

Rationale:

Recommendation 6.3 – which proposes that any new system for workplace hazardous chemicals labelling should recognise APVMA labels as sufficient for workplace requirements – has potential merit but should be qualified to make clear that current OH&S requirements should not be compromised. NSW considers that this proposal would only be acceptable if it is demonstrated that the APVMA label system does not diminish current OH&S requirements.

NSW comment:

- *In relation to Recommendation 6.4, NSW supports the proposal to replace the ASCC with a new national body, provided implementation is consistent with agreements made by the Workplace Relations Ministerial Council (WRMC).*

Rationale:

The Commission has effectively endorsed the WRMC's agreement to replace the Australian Safety and Compensation Council with a new national body. NSW support of the Commission's further recommendation that this should be an independent statutory body established on similar lines to the current Transport Safety Council, would be contingent on consistency with WRMC agreements. It would be useful for the Final Report to clarify whether this was the case.

7. Transport safety

NSW comment:

- *The recommendations in Chapter 7 are supported, although the Commission is requested to:*
 - *in relation to Recommendation 7.1, note that jurisdictions (including NSW) have supported the model legislation approach;*
 - *in relation to Recommendation 7.3, consider providing comment in the Final Report on the potential to extend this proposal to nationally consistent legislation for explosive storage and use; and*

- *in relation to Recommendation 7.4, quantify in the Final Report the likely resultant cost increases to jurisdictions.*

Rationale:

The Commission's support of the National Transport Commission and Australian Dangerous Goods (ADG) Code framework and model is welcome. While supporting the model legislation approach, NSW agrees with the merit of monitoring the transition from a template approach. If requested, the NSW Department of Environment and Climate Change can also provide further information that the Commission may wish to incorporate into this chapter on NSW practices and on proposed improvements to training.

With regard to Recommendation 7.3, while outside the Commission's terms of reference for this Study, it would nonetheless be useful if the Final Report could provide some comments on the potential for this proposal to be expanded to include nationally consistent legislation for explosive storage and use.

8. Environment protection

NSW comment:

- *Recommendation 8.1 is supported, but NSW notes that the regulatory model put forward by the NChEM Working Group of the Environment Protection and Heritage Council (EPHC) would appear to be simpler and more streamlined than establishing a new environmental standard setting body.*

Rationale:

NSW welcomes the Commission's acknowledgement of the deficiencies in the current chemicals regulatory regime and that there is a case for government action to better manage the environmental impacts of chemicals. The Commission's general support for the work being undertaken under the National framework for Chemicals Environmental Management (NChEM) is also welcomed. NSW notes that the need for a framework has already been agreed by Environment Ministers from all jurisdictions and implementation of non-regulatory aspects is already underway, in accordance with the agreed Chemicals Action Plan for the Environment.

In relation to the proposed regulatory aspects of the NChEM framework, to be determined in close consultation with the Productivity Commission and COAG Ministerial Taskforce, NSW considers that the NChEM proposal for environmental controls to be mandated at the national level as an outcome of industrial chemical assessments and adopted by states/territories by reference would appear to be simpler and more streamlined than the Commission's proposal to establish a new environmental standard setting body. Under a separate standard setting body, it is unclear what role would be maintained by government in decision-making and how it would link with that of the external 'experts' independent standard setting body. NSW is also concerned with the proposed cost sharing arrangements for this body, which do not align with the cost recovery models that NICNAS and the APVMA operate under.

NSW recognises that the Commission's proposed model is capable of delivering outcomes that would help close the current 'environmental gap' in chemicals management. However, the Final Report needs to clarify details of respective roles of all parties, membership of the new body, what is meant by establishing 'standards', consultation arrangements and funding arrangements. The Commission is urged to continue to consult with the NChEM Working Group in considering these matters.

NSW comment:

- *The Commission should more emphatically acknowledge the need for additional monitoring of the environmental impacts of chemicals.*

Rationale:

NSW considers that the Commission's statement that some additional monitoring "may be required" (page 193 of the Draft Report) understates the critical need for additional environmental monitoring of chemicals. This has been recognised by the EPHC, which has agreed on the need for more environmental monitoring and endorsed the implementation of monitoring initiatives by the NChEM Working Group. It may also be appropriate for the Commission to note that this component would incorporate gaining information on chemical use, which is substantially lacking for both agvets and industrials. This basic information would allow much more accurate assessment of impacts recorded in monitoring programs.

9. National security

NSW comment:

- *Recommendations 9.1 to 9.4 are supported, but should be referred to the COAG Hazardous Materials Steering Committee and the Final Report recommendations should be based on those of the final COAG Report on Chemicals of Security Concern.*

Rationale:

It would be useful for the recommendations in Chapter 9 and the supporting text in the Final Report to be more explicitly linked to the existing COAG Review of Hazardous Materials. A draft Report has been prepared by the COAG Hazardous Materials Steering Committee. NSW is represented on this Committee by the Department of Premier and Cabinet and the NSW Police Force who have consulted extensively with NSW Government agencies. NSW has advised the Department of Prime Minister and Cabinet that endorsement of the final *COAG Report on Chemicals of Security Concern* will be subject to the development of governance arrangements that ensure that policy recommendations made at the national level actively consider the unique operating environments of each State and Territory. The Commonwealth is currently discussing proposed governance arrangements.

Specific technical comments and factual corrections

The following technical corrections/comments are provided:

Chapter 3:

Table 3.1: "Interjurisdictional coordination of legislation":

- 2nd Row, 3rd Column states: "*New dangerous goods transport regulations (ADG7) developed by NTC*"

Comment: This sentence should read as "*New dangerous goods transport model law developed by NTC*"

- (2) 3rd Row, 3rd Column states: "*Australian Explosives Code (for most states/territories) and old ADG Code (6th edn)*"

Comment:

- (a) Delete "old ADG Code (6th edn)".
- (b) Add 4th dot-point to the effect "Australian Code for the Transport of Dangerous Goods by Road and Rail (7th edition)"

Chapter 5:

- Page 126 - dot point 2 says "articles containing chemicals and plastics" – this should be clarified as in essence all articles are made from chemicals.

Chapter 7:

- Refers to "bulk dangerous goods". Reference to "bulk" has been removed from ADG7 (except for solid dangerous goods).

Chapter 8:

- Page 196 – dot point 2 – note that the Stockholm treaty is not limited to pesticides
- Page 198 – note that chemicals can be added to the Stockholm treaty – it is not a static list (and processes are underway to consider additional chemicals for the Treaty)
- Page 212 – note that the APVMA banned most of the POPs pesticides prior to any treaty coming into force