



Australian Government

Department of Health, Disability and Ageing

Therapeutic Goods Administration

Notice of final decision to amend the current Poisons Standard in relation to lead (in anti-fouling paints)

29 July 2026

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Notice of final decision to amend the current Poisons Standard

This web publication contains decisions made by the Delegate pursuant to subsection 52D(2) of the *Therapeutic Goods Act, 1989* (the **Act**).

Defined terms

In this notice the following defined terms are used in addition to those above:

- the [Scheduling Policy Framework](#) 2018 (the **SPF**);
- the [Scheduling handbook: Guidance for amending the Poisons Standard](#) (the **Handbook**);
and
- the Therapeutic Goods Administration (the **TGA**).

Note: additional terms are also defined for individual decisions.

Decision to amend the current Poisons Standard under section 52D(2) of the Act

Final decision in relation to lead (in anti-fouling paint)

Final Decision

Pursuant to section 52D(2) of the Act, a Delegate of the Secretary has made a decision to amend the current Poisons Standard in relation to lead as follows:¹

Schedule 10 – Amend Entry

LEAD COMPOUNDS

- a) in anti-fouling paints **except** in preparations containing ~~0.1~~0.06% or less of lead calculated on the non-volatile content of the paint; or
- b) in paints (other than anti-fouling paints), tinters, inks or ink additives **except** in preparations containing 0.009% or less of lead calculated on the non-volatile content of the paint, tinter, ink or ink additive; or
- c) for human therapeutic use except in preparations containing 10 mg/kg or less of lead.

Materials considered

In making this final decision, the Delegate considered the following material:

- the final decision to amend the Poisons Standard in relation to lead in paint published in September 2021 (the 2021 Final Decision) and the materials considered in making the decision²
- the final decision to amend the Poisons Standard in relation to lead in paint published in September 2023 (the 2023 Final Decision) and the materials considered in making the decision³
- subsection 52E(1) of the Act, in particular (a) the risks and benefits of the use of a substance; (b) the purposes for which a substance is to be used and the extent of use of a substance; (c) the toxicity of a substance; (d) the dosage, formulation, labelling, packaging and presentation of a substance; and (e) the potential for abuse of a substance; and (f) any other matters considered necessary to protect public health
- pursuant to paragraph 52E(2)(a) of the Act, the SPF, and
- the Handbook.

Reasons for the final decision (including findings on material questions of fact)

I have made a final decision to amend the current Poisons Standard with respect to lead. In exercising my power under section 52D(2) of the Act, I have taken into account the information provided in the materials listed above.

In March 2021, an application to amend the Schedule 10 entry for lead compounds to reduce the permissible level in paints from 0.1% to 0.009% was referred to the Advisory Committee on Chemicals

¹ Proposed additions are shown in green underlined font, proposed deletions are shown in red strikethrough font, and text without this formatting represents the current text in the Poisons Standard.

² [Notice of final decision to amend \(or not amend\) the current Poisons Standard](#), published in September 2021.

³ [Notice of final decision to amend \(or not amend\) the current Poisons Standard in relation to lead](#), published 18 September 2023

Scheduling (ACCS #30).⁴ Subsequently, the 2021 Final Decision amended the scheduling of lead to reduce the maximum permissible level of lead in paints to 0.009% (equivalent to 90 ppm or 90 mg/kg). In consideration of significantly reduced exposure pathways from anti-fouling and anticorrosion paints compared to other paints, and the time required to develop such low lead containing paints, anti-fouling and anti-corrosive paints were exempted from this requirement and retained the previous maximum permissible level of 0.1% lead in them. The 2021 Final Decision foreshadowed that the exemption for anti-fouling and anti-corrosive paints would be repealed by 1 October 2023, in effect providing a two-year transition period for industry to develop anti-fouling and anti-corrosive paints containing 0.009% or less of lead.

However, due to limited availability of alternatives to copper compounds, the predominant active ingredient and source of lead in anti-fouling paints, the 2023 Final Decision retained the exemption for anti-fouling paints, and the maximum limit of 0.009% lead was applied to anticorrosive paints only (effective 1 October 2023). This decision considered that an extended transition period with lower limits imposed in a staggered manner would provide the necessary impetus for innovation and adequate time for reformulation of anti-fouling paints by manufacturers. The 2023 Final Decision, therefore, foreshadowed further amendments to the scheduling of lead to reduce the permissible maximum level of lead in anti-fouling paints to:

- 0.06% by 1 October 2026, and
- 0.009% by 1 October 2029.

My decision implements the previously foreshadowed reduction of lead in anti-fouling paints to 0.06%.

In making this decision, I note that various international standards highlight the need to eliminate or reduce exposure to lead from various sources to as low as possible. Since August 2009, the United States has restricted the amount of lead in all paints to a maximum of 0.009% and the US Department of Defence has set a limit of 600 ppm total lead in marine coatings.^{5,6} The European Union has evaluated and approved a limit of 1,200 ppm residual lead contamination in cuprous oxide which often comprises less than 50% by weight in marine antifouling coatings, generally resulting in less than 600 ppm lead in the marine anti-fouling coatings.⁷

My decision balances the need to allow industry time to meet the new reduced levels of lead in anti-fouling paints while ensuring that the general public including the users of anti-fouling paints are protected from exposure to lead to the best extent possible. Consistent with the 2023 Final Decision, I consider the risk of exposure to lead in anti-fouling paints from maintenance activities on smaller watercraft to be low and to a small population, and the risk of exposure to workers undertaking maintenance of larger vessels are managed by the workplace health and safety requirements. As foreshadowed in the 2023 Final Decision, further reduction of lead in anti-fouling paints to 0.009% will be implemented by 1 October 2029. A further, separate final decision will be made closer to this 2029 implementation date. This staggered approach continues to provide ample opportunity for the industry to further lower lead levels in anti-fouling paints.

Implementation date

1 October 2026

⁴ [Consultation: Proposed amendments to the Poisons Standard - ACMS, ACCS and Joint ACMS/ACCS meetings, March 2021](#)

⁵ [PART 1303—BAN OF LEAD-CONTAINING PAINT AND CERTAIN CONSUMER PRODUCTS BEARING LEAD-CONTAINING PAINT](#). Accessed: 18/6/2026

⁶ Performance Specification: Paint System, Anticorrosive and Antifouling, Ship Hull, U.S. Department of Defence, April 9, 2013

⁷ United Nations Environment Programme and the UN Lead Paint Alliance, available at www.unep.org/explore-topics/chemicals-waste/what-we-do/emerging-issues/global-alliance-eliminate-lead-paint/faq; accessed 9 July 2026.

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