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SPECIAL

COMMONWEALTH OF AUSTRALIA

Therapeutic Goods Act 1989

**Therapeutic Goods (Excluded Goods) Order No. 1 of
1991¹**

TG1/1991

I, STUART HAMILTON, Secretary to the Department of Community Services and Health, make the following Order under subsection 7 (1) of the *Therapeutic Goods Act 1989* and section 4 of the *Acts Interpretation Act 1901*.

Dated 15th February 1991.

Secretary

Citation

1. This Order may be cited as the *Therapeutic Goods (Excluded Goods) Order No. 1 of 1991*.

Commencement

2. This Order commences on the day on which the *Therapeutic Goods Act 1989* commences.

Goods that are not therapeutic goods

3. The goods specified in Column 2 of an item in the following Table are, for the purposes of the *Therapeutic Goods Act 1989* and when they are intended for use in or on humans, declared:

- (a) when used or labelled in the way specified in Column 3 of that item—not to be therapeutic goods; or
- (b) if nothing is specified in Column 3 of that item—not to be therapeutic goods.



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TABLE

Column 1 Item No.	Column 2 Goods	Column 3 Specified use or labelling
1	Deodorant preparations	used for dermal application or with therapeutic devices
2	Oral hygiene preparations and devices (including dentifrices, mouth washes, breath fresheners, brushes and flosses) that are not included in a Schedule to the Poisons Standard	if, on the label of the goods, the benefits claimed to result from the use of the goods are restricted to those consequential on improvements to oral hygiene or the use of fluoride for the prevention of tooth decay
3	Unmedicated dental chewing gums	
4	Goods for dermal application, other than preparations intended for extemporaneous dispensing for therapeutic use	if the goods are represented on their labels to be for use solely as, or used solely for, emollients, moisturisers, barrier protectants or cleansers
5	Hair bleaches, hair dyes and colourants and hair-perming preparations	
6	Spa and natural mineral waters not supplied for therapeutic use	
7	Soap and detergent, other than medicated soap and medicated detergent	used for skin cleansing or hair cleansing
8	Non-sterile protective or safety apparel or equipment	used in the home, or for occupational or recreational use
9	Non-sterile apparel including fitted support or insulating garments, or furniture and equipment, other than equipment specifically intended to be used by health service personnel for the care of patients	used as an aid to physical comfort or relief of discomfort in persons with a disease, ailment, defect, injury or other condition

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TABLE continued

Column 1 Item No.	Column 2 Goods	Column 3 Specified use or labelling
10	Household and personal aids, furniture and utensils for the disabled	
11	Menstrual pads and similar hygiene devices other than tampons	
12	Incontinence pads, mattress overlays and protectors	
13	Non-implantable cosmetic aids including wigs	
14	Non-prescription spectacles	used solely for magnification of image or sun protection
15	Drinking water purification and fluoridation equipment	
16	Sanitation, environmental control and environmental detoxification equipment	
17	Equipment or apparel intended for use in improving physiological fitness or modifying anatomical physique and appearance, other than equipment used for physiotherapy treatment	
18	Goods for the measurement of alcohol level either in body fluids or expired air	
19	Jewellery and objects or adornments with reputed remedial powers, but for which no therapeutic claims or representations, whether or not these are included on labels for the goods, are made	used by wearing the jewellery, object or adornment on the body or the clothes of a person

TABLE continued

Column 1 Item No.	Column 2 Goods	Column 3 Specified use or labelling
20	Colostomy and ileostomy related goods which are adhesive removers or non-medicated skin cleansers	
21	Goods for supply to the public for retention, cushioning or repairing of dentures	
22	Preparations containing a sunscreensing substance if the preparation has a primary purpose that is not sunscreensing	if the labelling of the goods does not include a statement of a sun protection factor or a description of a sun protection category
23	Depilatory preparations	used for dermal application

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on 1991.