Chemistry Australia
The Business of Chemistry
Essential for Life

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The Secretary
Medicines & Poisons Scheduling
Office of Chemical Safety
GPO Box 9848
CANBERRA ACT 2601

Email: chemicals.scheduling@health.gov.au

Dear Sir/Madam,

Proposed amendments to the Poisons Standard – Methylisothiazolinone (MIT), Methylchloroisothiazolinone (CMIT) & isothiazolinone

Chemistry Australia is the peak national body representing the chemistry industry in Australia. Chemistry Australia members include chemicals manufacturers, importers and distributors, logistics and supply chain partners, raw material suppliers, plastics fabricators and compounders, recyclers, and service providers to the sector and the chemistry and chemical engineering schools of a number of Australian universities.

Australia's entire society – businesses, consumers and governments – along with its natural environment receive enormous benefits associated with the safe, responsible and sustainable use of chemicals. To fulfil the optimal benefits of chemistry, balanced approaches are critical in stewarding effective chemical management, as supply chains are complex and can involve multiple partners through a products lifecycle.

Chemistry Australia welcomes the opportunity to provide comment on the proposed amendments. While we don't have objections with the inclusion of isothiazolinone into scheduling, however, we do have a concern with the proposed cut-off and labelling proposal with the isothiazolinones changes. Chemistry Australia is very concerned that this will impose costs which are likely to outweigh any benefit.

Isothiazolinones play an important role in society and are used as a preservative and an active biocide in domestic and industrial products to ensure the longevity of products, such as, paints, adhesives, cleaners, polishes, anti-mould sprays, inkjet printer inks, marker pens, cutting fluids, coolants, caulks and sealants. It is critical that we apply a balanced decision and don't pass opinion as a fact of a problem that exists under the current rules, as the consequence could have significant impact.

Our concerns and supporting arguments are described below for the committee's consideration:

Lack of evidentiary proof

Under the governments guide to regulatory impact analysis, it notes that those responsible in making rules, should clearly demonstrate a public policy problem in Australia necessitating intervention. Chemistry Australia considers that there is a lack of evidence with the proposal to support a huge impost on industry. The proposal would apply a significant cost on industry with many products impacted, based on hazard study without any determination if we are seeing a failure under our current practices.

Are we seeing significant increases in sensitisation to justify this cost? If so, which type of products? If not, is there really a problem we need to resolve and do we need intervention?

The Poison is a risk-based system
The proposal seems solely based on hazard alone. The Poisons Standard is a risk-based system and the decision should also factor many other considerations such as the purpose of use, potential for abuse and safety in use. Many uses don't have direct application to the skin, and where there may be a greater susceptibility with skin contact, these are expected be in very low concentrations. Are we seeing increases in sensitisation in any types of product(s) to justify the change?

Desensitisation of consumer
The proposal will apply the following labelling requirements on many products - CONTAINS ISOTHIAZOLINONES - REPEATED EXPOSURE MAY CAUSE SENSITISATION that contain 0.05 per cent or less of any isothiazolinones in total. A warning statement canvassed on many products is an overconservative approach which can desensitise the consumer in terms of the warning. Warning statements need to be selective to where the real risks exist and not blanketed over a generalised approach.

The proposal may drive reformulation changes with increased risks
Chemistry Australia considers that this proposal must be considered against the potential consequences. Where rules become unbalanced, this can drive substitution or alteration of the formulation which may result in an increased exposure risk with products. For instance, a product that had a fairly neutral pH with isothiazolinones may move to a very acidic or very alkaline pH (without isothiazolinones) to prevent microbes from growing - as microorganisms have limitations to the pH level that they can grow in.

EU labelling versus Australia
Chemistry Australia accepts that there are provisions in the EU for labelling, however their consumer labelling system is incorporated through the hazard-based system of GHS. In Australia, our labelling is risk-based and must considered in that respect.

Conclusion
Chemistry Australia considers that any decisions needs to be thoroughly considered under our risk based model. A recent change was made in the Poison Standard with MIT and CMIT and there has been no supporting evidence of a problem in Australia or to warrant a significant departure in the rules, such as the need for labelling or lowering the per cent cut-off.

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For more information or if we can assist this review any further, please don't hesitate to contact me on [redacted]

Yours sincerely,

[redacted]

[redacted]

[redacted]

Chemistry Australia