



## **Proposed amendments to the Poisons Standard – nicotine**

Submission from Cancer Council Australia, May 2020

Content is authorised by [REDACTED]

Cancer Council Australia makes this submission in support of the application (CAS 54-11-5) initiated by the Delegate of the Secretary of the Commonwealth Department of Health (Applicant).

Cancer Council Australia supports the proposed amendments to the scheduling of nicotine on the basis that they clarify current access controls for nicotine in Australia, without substantive changes.

Nicotine is a harmful and highly addictive toxin; the access controls in the Poisons Standard are necessary to protect the health and safety of the Australian public. It is our view that the relevant matters in s 52E(1) of the *Therapeutic Goods Act 1989* (Cth) support the exercise of power to amend the Poisons Standard in the ways proposed by the Applicant.

We note that the introduction to the Standard for the Uniform Scheduling of Medicines and Poisons No.27 (SUSMP) highlights that, "Inclusion of a poison in a Schedule indicates the degree of control required if it is marketed. It does not indicate:

- that the poison is available; nor
- that it has been approved or is efficacious for any use that may be specified in a Schedule; nor
- does it negate any obligation for registration of a therapeutic good, or agricultural or veterinary chemical product containing that poison."

It follows that the proposed amendments do not affect the requirement that Schedule 4 products containing nicotine must be TGA approved and included on the ARTG in order to be supplied and legally prescribed in Australia. The possession of Schedule 4 products containing nicotine must be in accordance with a legal prescription.

### **About Cancer Council Australia**

Cancer Council Australia has been one of the most active nongovernment organisations in tobacco control since concerted efforts to work in a multi-sectorial capacity to reduce the health harms of tobacco use gathered momentum in the 1970s. This has included successful advocacy to phase out broadcast and print tobacco advertising and increase tobacco taxation, membership on intergovernmental and intersectoral bodies advising on tobacco control policies and the delivery of programs and services.

Around 20% of all cancer deaths and 16% of all cardiovascular disease deaths in Australia are attributed to smoking. While these are unacceptably high rates of mortality and exposure risk, they have nonetheless reduced significantly in recent years through the evidence-based interventions, supported by Australian governments and statutory health authorities, that have halved smoking prevalence over the past 25 years.

Advancing evidence-based tobacco control, and protecting the population from the risks of reforms that are not supported by the evidence, are fundamental to our mission. The (standing and co-opted) membership of our joint Tobacco Issues Committee includes some of Australia's leading academics and policy advisers on tobacco control and operates within a strict evidence-based framework, reporting to Cancer Council Australia's principal Public Health Committee.