

9 October 2018

Advisory Committee on Medicines Scheduling
Health Products Regulation - Therapeutic Goods Administration
PO Box 100
WODEN ACT 2606

Sent by email: medicines.scheduling@health.gov.au

Dear Committee Members

Re: Proposed Amendments to the Poisons Standard (Medicines/Chemicals)

We are writing to support the submission made by the Australian Federation of AIDS Organisations (AFAO) and the National LGBTI Health Alliance, and urge you to overturn the interim decision to change the scheduling arrangement for alkyl nitrites.

ACON is New South Wales' leading health promotion organisation specialising in HIV prevention, HIV support and lesbian, gay, bisexual, transgender and intersex (LGBTI) health. Established in 1985, our mission is to enhance the health and wellbeing of our communities by ending HIV transmission among gay and homosexually active men, and promoting the lifelong health of LGBTI people and people with HIV.

ACON does not support the listing of alkyl nitrites in Schedule 9 of the Poison Standard, which will have deleterious consequences on our communities. The Interim Decision is based neither on acceptable standards of evidence, nor sufficient consultation with affected communities.

Despite the use of 'poppers' occurring for decades in the gay community, there is little evidence about their harm. The Interim Decision is based on evidence of inadequate quality that does not match the standards of evidence expected to be applied by the TGA. As noted by the AFAO and National LGBTI Health Alliance, evidence of harm appears to be based solely on one unchecked source found on old flyer from the internet.

This interim decision will disproportionately impact our communities and, by opening the door to the unnecessary criminalisation of 'poppers' use, it will cause more harm. 'Poppers' have been used in the gay community as an aid to sex for a decade and, contrary to the Interim Decision's incorrect perception, data

collected for the Australian National Gay Community Periodic Surveys indicates that the use of amyl has been stable in the last decade.¹²³

Further we note that the Parliament Of Victoria, Drugs And Crime Prevention Committee's Inquiry into the Inhalation of Volatile Substances, Final Report (2002), stated after a more extensive review of evidence and call for public submissions that "the Committee believes that such concerns and the issues pertaining to this particular form of inhalation [amyl and butyl nitrites] are better dealt with by those health workers and researchers in the field more appropriately qualified to address them."

For the reasons noted above, I urge you to overturn this decision and engage in consultation with communities affected by these processes in the future, including ours.

Please do not hesitate to contact me for further discussion, or to seek clarification on (02) 9206 2122 or nparkhill@acon.org.au

Kind regards



Nicolas Parkhill
Chief Executive Officer

¹ Hull, P., Mao, L., Lea, T., Lee, E., Kolstee, J., Duck, T., Feeney, L., Prestage, G., Zablotska, I., de Wit, J., & Holt, M. (2017). *Gay Community Periodic Survey: Sydney 2017*. Sydney: Centre for Social Research in Health, UNSW Sydney. <http://doi.org/10.4225/53/59598c5643b4d>

² Lee, E., Mao, L., Lea, T., Williams, G., Scott, M., Heywood, J., O'Connor, S., Prestage, G., Zablotska, I., de Wit, J., & Holt, M. (2018). *Gay Community Periodic Survey: Queensland 2017*. Sydney: Centre for Social Research in Health, UNSW Sydney. <http://doi.org/10.4225/53/5ad3e2469a4c7>

³ Lee, E., Mao, L., Broady, T., Bavinton, B., McKenzie, T., Batrouney, C., Malholtra, S., Manwaring, J., West, M., Prestage, G., & Holt, M. (2018). *Gay Community Periodic Survey: Melbourne 2018*. Sydney: Centre for Social Research in Health, UNSW Sydney. <https://doi.org/10.4225/53/5b2875d6780ec>