

John Cheshire

10 October 2018

To Whom It May Concern

I am writing to oppose the TGA interim decision to move alkyl nitrites, known as 'poppers', to schedule 9 of the poisons schedule, thereby effectively banning their sale or possession. The proposal is based on an unreasonable risk management conclusion and represents prejudice against gay and bisexual men.

Regarding the risks posed by use of poppers, risk analysis requires consideration of both severity and likelihood. While it is acknowledged that there are some risks associated with use of alkyl nitrites, it is important to note that the likelihood of those conditions or events is extremely rare. Existing data shows very limited number of cases where there have been serious impacts against a background of significant use of alkyl nitrites amongst gay and bisexual men.

The Centre for Social Research in Health *Annual Report of Trends in Behaviour* (2016) reports that among gay men,

Amyl nitrite is the most commonly used drug by gay men in the GCPS (Gay Community Periodic Survey, a yearly survey conducted in capital cities since 1996). The proportion of men reporting the use of amyl nitrite has remained stable over the last decade, and was used by around 35%-40% in the six months preceding the survey. ([CSRH 2016 p8](#))

The Australian Study of Health and Relationships (ASHR2) study reported 3.2% of adult male respondents identified as gay or bisexual ([ASHR2 2015 p5](#)). Assuming the adult male population at 8,000,000 ([IndexMundi 2018](#)), up to 89,600 adult gay and bisexual men in Australia may have used poppers products in the past 6 months. This does not include other users of alkyl nitrites, including heterosexual people, women of all sexualities, and clubbers.

Figures (yet unpublished) from the Flux study conducted by the Kirby Institute for Infection and Immunity, indicate that most gay and bisexual men who use alkyl nitrites do so infrequently.

Following the risk management matrix adopted by the TGA in the case of therapeutic goods, the probability of a serious impact from use of alkyl nitrites, that is, the numerator over the denominator, is low. As such, it does not justify the use of the most restrictive regulatory measures available, particularly given less-restrictive measures are available to achieve the same goals.

If the TGA considered the most significant possible harm, that is death, it should be noted that there are much higher rates of death from alcohol or even caffeine. Alkyl nitrites should not be considered a 'poison'.

The rarity of serious harm needs to be emphasised here. One of the articles cited in the TGA interim decision, Docherty, G., Eslami, M. and O'Donnell, H. '*Poppers maculopathy' a case study and literature review* Canadian Journal of Ophthalmology, 2018, 53 (4), pp. 154-156 the authors note that to their knowledge there have been 24 cases of prolonged visual loss from popper use in the last 27

years. This is a remarkably low frequency of event, compared to the many thousands of people who have used poppers on occasions over those years.

If the proposed TGA ban were implemented, there is a reasonable likelihood that gay and bisexual men will seek alternative chemicals to achieve the same effect. This demand could well result in gay and bisexual men seeking to source illegal chemicals or unsafe chemicals. Such an unintended consequence could well result in a greater number of serious adverse health impacts than the small number of health impacts that are currently potentially possible.

The interim decision suggests there is a risk of paediatric exposure to poppers. Such a risk could be easily dealt with through packaging.

The interim decision also suggests that there is a risk of cardiovascular harm when poppers are used in conjunction with other vasodilators. Such a risk could easily be mitigated through labelling and health warnings.

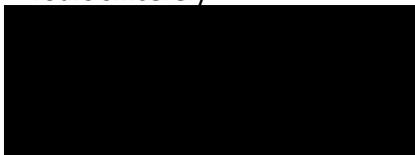
Similarly, risks associated with ingestion could be mitigated through labelling and health warnings.

It should be a relevant consideration of the TGA whether alkyl nitrites have a useful social purpose that should continue. For gay and bisexual men who use alkyl nitrites as a sex aid, there is a very clear social benefit. Poppers contribute to the health and wellbeing of gay and bisexual men who use alkyl nitrites by facilitating sexual intercourse, an important human connection that contributes to the quality of life.

The interim decision states that there is a potential for abuse and misuse of alkyl nitrites, but only among certain sections of the community. Use of alkyl nitrites as a sexual aid is not abuse, it is a sensible, considered act undertaken by gay and bisexual men to improve their health and wellbeing. The allegation that alkyl nitrites use is 'abuse' represents an outdated attitude towards healthy sexual behaviour, including sexual intercourse between men. The minimisation of the impact of this proposed ban by suggesting that only 'certain sections of the community' are affected is homophobic prejudice.

I strongly urge the delegate to consider the low risk profile that relates to the use of alkyl nitrites and the negative impact of the proposed ban of alkyl nitrites. Please do not impose this ban.

Yours sincerely

A large black rectangular redaction box covering the signature of John Cheshire.

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