

[REDACTED]

I do not support the amendments to 52E of the *Therapeutic Goods Act 1989* re the classification of Alkyl nitrites.

As per

THERAPEUTIC GOODS ACT 1989 - SECT 52E

Secretary to take certain matters into account in exercising powers

(1) In exercising a power under [subsection 52D\(2\)](#), the [Secretary](#) must take the following matters into account (where relevant):

(a) the risks and benefits of the use of a [substance](#);

The risks of the substance are being grossly over embellished for alkyl nitrites to be considered as a schedule 9. Drugs such as heroin are on this list. Alkyl nitrites have nowhere near the damage potential compared to substances like heroin. While there are risks involved with poppers, to group them in as a schedule 9, while there are so many other substances made legal that are far more dangerous, is frankly discriminatory - as the only community that really uses these substances is the gay community.

There are risks involved in many substances that are still deemed legal, such as [REDACTED] - but because they benefit a wider community, an exception has been made. Looking at the evidence mentioned below, it can be seen that poppers are nowhere near as dangerous as they are being made out to be. But banning them will cause further harm as an attempt to find alternatives possibly more dangerous will eventuate.

The TGA is not taking into account the benefits of the substance. They make gay sex safer for the gay community. This is so important for us since we live in a community that does not have resources that teach us how to have safer sex - be reminded safer sex doesn't just mean using condoms - by safer sex I mean the physical act and toll it takes on our bodies.

The very real possibility of these substances being banned is very frightening because this will impact my physical safety during sex.

We need to face the fact and be adults when talking about this because the reason we need them is for anal sex.

The impact of poppers is very brief, they relax muscles to make sexual intercourse less painful. A topical nitrate product, glyceryl trinitrate, is available for the same purpose as a pharmacist-only medication.

Anal sex is very strenuous on the human body, but regardless, gay men still want to do it. Banning a substance that makes the process of anal intercourse easier is not going to stop the process, but make it more dangerous. In many circumstances, there can also be a real power imbalance between partners, this is dangerous when an activity is taking place that involves consent. The anus is not designed for penetration. Poppers allow the receiving partner (especially if they are inexperienced) to be in a much safer position to prevent painful tears and abrasions.

I know personally, these chemicals allowed me to explore my sexual life, in a safer way. If these

chemicals are made illegal, just like regular drugs, they won't disappear, they will go underground, increase in price, and be made at home, in a potentially much more dangerous manner, and the product will be even more unsafe.

There was regulatory action in the EU and Canada regarding these products. Alternative products in aerosol cans were produced, these products effectively were on the same level as paint sniffing. But these products were not captured by the proposed ban. And should this ban go through in Australia, a substitute product will eventually be produced, highly likely to be more dangerous compared with the current.

In the United Kingdom, the Conservative Party MP Crispin Blunt spoke in parliament about the benefits of nitrite inhalants offer gay men, during a debate regarding the banning of legal highs. A home affairs select committee report found that the use of poppers was 'not seen to be capable of having harmful effects sufficient to constitute a societal problem' [i]

Poppers have been in use for nearly five decades with very few reports of serious harm, and recent case reports describe a previously undocumented form of harm. This suggests the harm is the result of the reformulated products, which were only adopted due to regulatory action. Banning nitrite inhalants *as a class* will have a significant impact on the capability of many gay men to achieve sexual pleasure and intimacy without pain and discomfort. In addition, it will expose a historically marginalised, stigmatised and criminalised community to a new vulnerability to criminal prosecution.

A more targeted ban, leaving long-standing formulations legal, would reduce the risks of rare but serious clinical harms, and prevent the import and widespread uptake of copycat products whose risks are substantially unknown.

Kind regards,



[i] Home Affairs Committee, *Psychoactive Substances* (report), London: Stationery Office, 23 Oct 2015, p. 14 <https://publications.parliament.uk/pa/cm201516/cmselect/cmhaff/361/361.pdf>