

Re: Decision to amend the current Poisons Standard in relation to alkyl nitrites

I am a medical doctor working in Sexual Health and HIV at Sydney Sexual Health Centre, and also a gay man living in Sydney. Therefore, this decision stands to affect me personally, and also the lives of many of my patients.

Furthermore, as a medical doctor, a large proportion of my job is spent weighing risks and benefits for my patients, and as such I have some experience in the exercise the TGA undertakes when it produces decisions such as this.

In my field work, a majority of my patient population consists of gay and bisexual men. I would estimate that a majority of those patients report current or previous use of alkyl nitrites. Anecdotally, I have never come across any suggestion of harm done by alkyl nitrites to one of my patients (of which there are several thousand). On the contrary, many of my patients report alkyl nitrites aid, improve or enable sex for them.

What I find most disturbing about this decision is that the use of alkyl nitrites as a "sex aid" is labelled as "misuse" and "illicit". No reasoning is given to explain why enabling sex or aiding sexual pleasure is considered a misuse and not a therapeutic benefit.

Sildenafil, used in the main by older heterosexual men, is considered to have a therapeutic use in enhancing sexual pleasure, but alkyl nitrites, used primarily by young gay men, are not. There has been an arbitrary line drawn to justify this, between remedying sexual dysfunction, and enhancing sexual function; a line which does not exist in reality, but which might help justify decisions which are already made.

It seems to me this is instead a moral judgement by the TGA, and I'm sure you'll agree that moral judgements are outside the scope of the TGA. I am forced to question whether this is really a decision about the risks and benefits of a substance, or about discrimination and perceived morality.

Indeed, one of the listed risks of alkyl nitrite use in the decision is their interaction with PDE-5 inhibitors. Conversely, I am not aware that sildenafil has ever been considered for reclassification into schedule 9 for this reason.

If we do consider use of alkyl nitrites as a "sex aid" to be therapeutic, instead of illicit misuse, then the balance of risk versus benefit shifts tremendously.

The listed risks of alkyl nitrite use are either vanishingly rare (maculopathy, methaemoglobinaemia) or of negligible significance (minor skin burns if spilled). However, alkyl nitrites enable and enhance sex for a large proportion of the gay community. This benefit has not been taken into account in the interim decision.

Regardless of the justification, reclassifying alkyl nitrites into schedule 9 would undoubtedly cause more harm to the gay community than the present classification, through sub-par black-market products and substance substitution. The TGA has a duty to consider these effects in its decision. This has already been observed in "poppers maculopathy" which is seemingly a result of previous prohibitive legislation which resulted in substitution from isobutyl to isopropyl nitrate.

At best, this is a well-intentioned but misguided decision. At worst, it is homophobic and discriminatory.

It is a decision about gay sex. But not once is gay sex mentioned explicitly in the interim decision. Gay men are referred to as "particular sections of the community" and any mention of anal sex is conspicuously absent. Perhaps it is too uncomfortable for the TGA to spell out these vulgar issues in an official decision. And perhaps it is too difficult for the TGA to objectively measure the benefit of sexual pleasure. But for many gay men, unsurprisingly, the risk-benefit balance is very obvious.

Finally, I would like to draw your attention to the UK Advisory Council on the Misuse of Drugs' statement on alkyl nitrites in 2016, which concluded that their misuse is "not seen to be capable of having harmful effects sufficient to constitute a societal problem". At that time, British MP Crispin Blunt admitted using alkyl nitrites himself, and stated that a ban on their supply would be "fantastically stupid".

For the above reasons, I urge you strongly not to make changes to the scheduling of alkyl nitrites.