



Australian Government

Department of Health and Aged Care

Australian Industrial Chemicals Introduction Scheme

Consultation

Proposed changes to the Industrial Chemicals (General) Rules and Categorisation Guidelines

Closes on 9 November 2023



Contents

Contents..... ii

Overview 1

Listed introductions: more practicable record-keeping requirements 3

Exempted and reported introductions: more practicable requirements..... 9

Soap makers: reducing regulatory obligations 15

Flavour or fragrance blend chemicals: expanding the eligibility criteria.....20

Controlled introduction and use of chemicals: eligibility criteria for low-risk to human health
..... 24

List of chemicals with high hazards for categorisation: refining the requirements 30

Options on how to show the absence of hazards in categorisation.....36

Fluorinated chemicals: categorisation changes for health and environment protection42

Persistent organic pollutants (POPs): categorisation changes for health and environmental
protection..... 49

Chemicals containing hazardous elements added to human health hazard band C..... 52

Exempted introductions: annual declaration change to improve AICIS monitoring 54

Rules and Guidelines: minor changes to clarify information and requirements 56



Overview

We're inviting public comments on a suite of proposals relating to categorisation, reporting and record-keeping obligations - through proposed amendments to the Industrial Chemicals (General) Rules 2019 and the Industrial Chemicals Categorisation Guidelines.

We've explored possible solutions to address stakeholder advice that certain requirements of the General Rules are challenging to comply with. AICIS has also identified aspects of the General Rules that we think should be strengthened to ensure protection of human health and the environment or clarify the intent of certain requirements.

These proposals were developed using an evidence- and risk-based approach to regulation that is appropriate to each circumstance. Some key proposals in this consultation:

- Replacing written undertakings with records that will make compliance easier.
- Greater acceptance of International Nomenclature of Cosmetic Ingredients (INCI) names for reporting and record keeping.
- Changes to the categorisation criteria to benefit:
 - soap makers
 - introducers of chemicals in flavour and fragrance blends
 - introducers of hazardous chemicals where introduction and use are controlled.
- Strengthening criteria and/or reporting requirements for health and environmental protection, for example, to prevent persistent organic pollutants (POPs) from being categorised as exempted or reported Introductions.

None of the proposals involve changes to the Industrial Chemicals Act 2019. Proposals that would benefit introducers are based on mechanisms that may lower regulatory burden while maintaining regulatory intent.

This consultation is open until 9 November 2023.

This consultation was drafted for viewing online. For the convenience of some stakeholders, we have provided this offline version – it is essentially just the online content combined to make a single offline document.

This consultation is grouped into themes, with each providing details of the proposed changes to the General Rules and Categorisation Guidelines, the reasons for the change and how the changes will work in practice.

You can view full details of the proposed amendments to the General Rules in the [Exposure Draft – Industrial Chemicals \(General\) Amendment \(2023 Measures No.1\) Rules 2023](#)

You can comment on all, or any of the proposals. Provide comments via our website (<https://www.industrialchemicals.gov.au/consultations>).

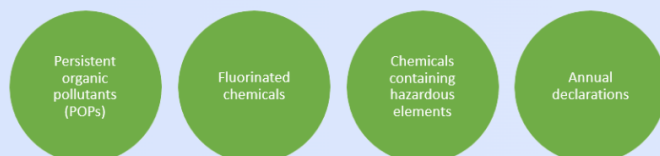
Proposals to help introducers meet their obligations

Topics include:



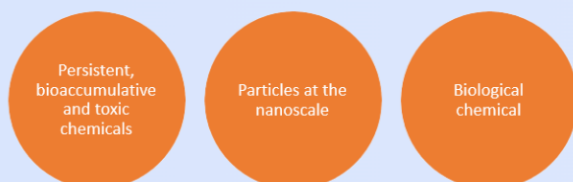
Proposals that strengthen the categorisation criteria and reporting requirements to protect Australians and the environment

Topics:



Minor proposals to clarify information and requirements

Topics



Listed introductions: more practicable record-keeping requirements

What's being proposed?

This proposal would make record-keeping obligations simpler and easier for listed introductions where the introducer does not know the chemical's CAS name because it is proprietary information of another party. Our aim is to resolve the difficulty that introducers currently have in obtaining a written undertaking from their manufacturer or supplier who holds the chemical identity information.

Where an introducer is unable to get a CAS name, we propose to **remove the requirement to obtain a written undertaking from the chemical identity holder**. Currently, the only listed introduction circumstance in the Rules that does not require this, is eligible introductions of 10 kg or less.*

Instead, the introducer would have other options of records they can keep to meet their record-keeping obligations for listed introductions. The options under this proposal provide flexibility for introducers whilst ensuring that AICIS has adequate information to accurately identify the Inventory listing for a chemical.

*(excludes administrative record keeping arrangement for NICNAS listed introductions, which will expire when the amended Rules take effect – see [notice](#)).

Proposed options for records that introducers must keep

Key points

1. An introducer would have more record-keeping options when they don't know a chemical's CAS name.
2. Written undertakings would be replaced.
3. Existing options for listed introductions of 10 kg or less would remain – you can compare on our [current](#) web page.
4. Introducers relying on current administrative provisions for NICNAS listed introductions for record keeping purposes should note that these provisions will expire when the new Rules take effect – read this notice for more information.

The proposal is to provide a sequence of 5 options related to chemical identity, with introducers expected to try to fulfil options 1, 2, 3 or 4 (in that order), before resorting to option 5.

Introducers would need to actively try to find their chemical's CAS number (if assigned), and the CAS, IUPAC or eligible INCI plant extract name of the chemical.

As is the case now, introducers must be able to supply records to us if we ask to see them.



Option 1 - Introducer knows the chemical's CAS number

- The introducer must keep a record of the chemical's CAS number and one of the following:
 - CAS name
 - IUPAC name
 - INCI name



Option 2 – Introducer knows the chemical's CAS name or IUPAC name (does not know its CAS number)

- The introducer must keep either the
 - CAS name or
 - IUPAC name as a record.
- A record that shows the chemical is listed on the Inventory.



Option 3 - Introducer knows the chemical's 'eligible INCI plant extract name' (does not know the CAS number, CAS name or IUPAC name)

- The introducer must keep the 'eligible INCI plant extract name' as a record.

- A record that shows the chemical is listed on the Inventory.

Definition: eligible INCI plant extract name

The INCI name for an industrial chemical is an eligible INCI plant extract name if:

- (a) the industrial chemical is a plant extract that has not intentionally undergone any chemical processes, or treatments, to change its chemical structure; and
- (b) the INCI name is based on a botanical name for the relevant plant.



Option 4 - Introducer knows the chemical's AICIS approved chemical name (AACN)

(does not know the chemical's CAS number, CAS name, IUPAC name or eligible INCI plant extract name).

This option only applies to introducers who were the holder of, or covered by, an assessment certificate for the introduction of a chemical, that was identified by an AACN, and where that chemical has since been listed on the Inventory.

- The introducer must keep the AACN as a record.
- A record that shows the chemical is listed on the Inventory.

Option 5 - If the introducer does not have any of the above information

If this is the case, introducers would need to keep information including:

- Names of any products they've imported that contain the industrial chemical.
- If the chemical is not introduced in a flavour or fragrance blend, names they know the chemical by. This could be a Trade Name.
- If the chemical is introduced in a flavour or a fragrance blend, either the names they know the chemical by or both the following:
 - the name of the flavour or fragrance blend that the industrial chemical is to be introduced as part of
 - records that prove the chemical is included on the International Fragrance Association (IFRA) Transparency List
- The name of the person or business who they reasonably believe would supply the CAS number (if assigned), and the CAS name or IUPAC name of the

chemical, if requested. They would also need a record of the reasons why they believe this. For example, this could be information in an email from the chemical identity holder or minutes of a meeting.

- Information about the volume introduced each year for the chemical or product containing it. This can be the estimated total volume introduced, such as 1 tonne or less.
- Information about the maximum concentration of the chemical in imported products. For example, if SDS for a series of paints containing a chemical indicates that the chemical is present at 30-60% concentration, the maximum would be 60% across all products.
- Any hazard classification for the chemical that the introducer knows.
- A record that shows the chemical is listed on the Inventory (generally provided by the chemical supplier).

Current record keeping requirements relating to any terms of listing for a chemical will remain. This means introducers must keep records that prove they are complying with any applicable terms of listing for a chemical:

- defined scope of assessment
- conditions relating to introduction or use
- specific information requirements

The terms of an Inventory listing are prescribed in the Industrial Chemicals Act 2019 (the Act) - no changes to Act requirements are proposed, nor will they be made based on this consultation. We are exploring options to address issues that have been raised by industry regarding their ability to meet their specific information requirement obligations, in cases where the identity of the chemical being introduced is held by the overseas chemical supplier or manufacturer.

The options being considered are administrative and/or related to IT-developments that would assist introducers to meet their obligations under the Act. Further engagement on this will occur in 2024. In the meantime, as is the case now, if an introducer is not confident that they can comply with all terms of listing, they should consider whether their chemical can be introduced in a different introduction category – for example, by following the categorisation process to see if their introduction can be exempted or reported.

Listed introductions: chemicals introduced at 10 kg or less

As is the case now, introducers of chemicals at 10 kg or less in a registration year would be able to choose to keep either records that will apply to all other listed introductions (the options detailed on this page) or to keep records under [existing requirements for 10 kg or less](#) listed introductions..

For chemicals introduced in a flavour or fragrance blend at 10 kg or less that are listed introductions, for consistency reasons, we propose to make a minor change to the requirement for introducers to keep a record of the 'name of the chemical' to instead allow them to keep:

- a record of the name of the flavour or fragrance blend that the chemical is part of and
- records that prove the chemical is included on the IFRA Transparency List.

How would this affect introducers?

More introducers who don't know the CAS names of their chemicals will be able to meet the record-keeping obligations for listed introductions. In particular, the requirement to hold a written undertaking will be replaced by requirements that are more flexible and easier to comply with.

Example

Company XYZ wishes to import a household floor cleaning product ('Floor shine'). They plan to import up to 10,000 kg of the product each year. The supplier confirmed in an email that all 10 chemicals in the product are listed on the Inventory, and that there were no terms of listing that the importer needed to be aware of. However, the supplier indicated in their email that they are unwilling to provide Company XYZ with the chemical identity information of each of the chemical ingredients. Company XYZ has also been unable to source a written undertaking from the supplier.

Company XYZ knows:

- Product name ('Floor Shine')
- Chemicals are listed on Inventory and there are no introduction terms of listing they need to be aware of
- The maximum total introduction volume of the product (is less than 10,000 kg per year) - they can track the amount of product they import.
- The maximum concentration of each chemical in the product (is less than 20% based on the information sheet from the supplier)

- The SDS indicates the product is classified as a skin irritant.

Under the current Rules, Company XYZ would not be able to import 'Floor Shine' unless they had a written undertaking from their chemical supplier.

If the proposed amendments to the Rules for listed introductions go ahead, Company XYZ could import 'Floor Shine', based on:

- the information that they already know, and
- minutes they keep from a meeting, for example, with their chemical supplier that confirmed the supplier would be willing to provide the CAS number of all chemicals in 'Floor Shine' directly to AICIS if asked

View the proposed rules amendments

For full details of the proposed amendments, see Part 1 of the [Exposure Draft](#).

Exempted and reported introductions: more practicable requirements

What's being proposed?

Generally, this proposal would make reporting and record-keeping obligations simpler and easier for exempted and reported introductions, where the introducer does not know the chemical's CAS name because it is proprietary information of another party. Our aim is to:

- provide clarity on the type of information that must be provided to AICIS in pre-introduction reports (reported introductions) and post-introduction declarations (exempted introductions) and
- resolve the difficulty that introducers currently have in obtaining a written undertaking from their manufacturer or supplier who holds the chemical identity information.

Our proposals would result in many instances of change to the Rules – they are repetitive and largely relate to these 3 points:

1. Clarifying the type of chemical name that would be accepted in pre-introduction reports, post-introduction declarations and for record keeping purposes – including acceptance of International Nomenclature of Cosmetics Ingredients (INCI) names for certain, lower exposure introductions.
2. Replacing written undertakings with a more practical set of records introducers could keep when they are unable to obtain the chemical identity details.
3. Reduced, risk-based approach to records that would need to be kept about 'specified classes of introductions' when there will be lower exposure to humans and the environment.

These proposals apply across all types of exempted and reported introductions. However, the extent of the proposed changes and requirements differ depending on the type of introduction and/or level of exposure to humans or the environment.

To make these changes, some sections of the current rules would be repealed and restructured, for example, to separate the requirements for introductions that have lower exposure to humans and the environment, versus those with higher exposure.

For full details of proposed changes to reporting and record keeping requirements for exempted and reported introductions, see part 2 of the [Exposure Draft](#).

What do we mean by 'lower exposure' introduction?

We propose to separate the requirements for exempted and reported introductions based on their level of exposure to humans and the environment. In practice it would mean that lower exposure introductions would have simpler or reduced reporting and record-keeping obligations compared to higher exposure introductions. See below for examples.

1. Replace 'proper name' with CAS name, IUPAC name (or INCI name in certain circumstances)

The current requirement for an introducer to have the 'proper name' for a chemical is proposed to be removed in most instances for exempted and reported introductions. Instead, the rules would be more specific and prescribe the types of chemical names that would be accepted. These would be either of the following:

- CAS name
- IUPAC name

But if neither are known to the introducer then either of these would be acceptable, depending on the circumstances of the introduction:

- INCI name
- 'Eligible INCI plant extract name'

Proposed definition: 'eligible INCI plant extract name'

The INCI name for an industrial chemical is an eligible INCI plant extract name if:

- (a) the industrial chemical is a plant extract that has not intentionally undergone any chemical processes, or treatments, to change its chemical structure; and
- (b) the INCI name is based on a botanical name for the relevant plant.

We are proposing to expand the circumstances where INCI names could be used to make it easier for introducers to meet their reporting and record keeping requirements. However, the level of detail that INCI names convey about a chemical is often not as precise as other naming conventions, such as CAS names and IUPAC names. For example, INCI names are used to convey information about ingredients on cosmetic product labels – a simpler chemical name may be suitable for this purpose, but the name may not contain the level of information about the chemical's identity necessary for regulatory certainty. For this reason, INCI names would not be available as an option for all introductions. Instead, a risk-based approach is

proposed to be applied, meaning we would only accept INCI names for the exempted and reported introductions that are of lower exposure to humans and the environment. 'Eligible INCI plant extract names' are a defined sub-set of INCI names which provide sufficient chemical identity information and would be accepted in other instances.

INCI names will **not** be accepted in all circumstances – in some cases, only 'eligible INCI plant extract names' would be accepted.

When INCI names would be accepted?

These are examples of instances where we would accept INCI names because there would be lower exposure to humans and the environment:

- for **exempted** introductions of the type 'highest indicative risk is very low', where the human **health exposure band is 1 or 2** and the **environment exposure band is 1**. For example, introductions of 25 kg or less of a chemical for use in cosmetics.
- for **reported** introductions of the type 'highest indicative risk is low', where the **human health exposure band is 1, 2 or 3** and the **environment exposure band is 1 or 2**. For example, introductions of
 - 100 kg or less of a chemical for use in cosmetics (at an introduction or end use concentration greater than 1%), or
 - 1,000 kg or less of a chemical for use in cosmetics, where the concentration of the chemical at introduction and at all end uses is 1% or less.

2. Replace written undertakings with more practical records that introducers must keep

Introducers would need to actively try to find their chemical's CAS number (if assigned), and the CAS, IUPAC or eligible INCI plant extract name of the chemical.

As is the case now, introducers must be able to supply records to us if we ask to see them.

In this proposal, **written undertakings would no longer be required**. Instead, introducers would be required to hold other records that would be easier to comply with. These new requirements would vary depending on the type of exempted or

reported introduction and the type of information to which the written undertaking currently applies. Some examples are shown below.

Written undertaking replaced with records on who can give certain information about the chemical to AICIS, such as chemical identity information

Introducers would need to keep 1 and 2:

1. the name of the person or business (for example the manufacturer or supplier) who the introducer believes on reasonable grounds, would provide certain information to us, if requested
2. a record of the reasons why the introducer holds this belief - for example, the introducer could have information contained in an email from the manufacturer, or minutes of a meeting.

Written undertaking replaced with records showing why the introducer believes requirements or criteria would be met and who can give certain information

In some cases, it's not just about the introducer knowing who can provide information to us. The introducer would also need to keep a record of information that allows them to categorise their introduction.

Example: Joe (an Australian importer), believes that a chemical in the paint that he is importing is eligible to be an exempted introduction, because the chemical meets the AICIS criteria for polymer of low concern. Joe has based this belief on a document that he received from his overseas supplier. Joe would need to keep a copy of this document as part of his records about his introduction. Joe would also need to keep a record of the name of the person or business who he believes on reasonable grounds would provide information to AICIS to demonstrate that the criteria are met, if requested, and a record of why he holds this belief.

Written undertaking replaced with records to show that certain criteria are being met

In some cases, an introducer may be able to show that a particular criterion is met based on information from a number of different sources. In these cases, the requirement to hold a written undertaking is proposed to be replaced with requirements that are less prescriptive and that allow greater flexibility in how the record keeping requirements are met, i.e. it is proposed that the rules would prescribe 'records to demonstrate' that relevant criteria has been met. For example,

records to demonstrate that a chemical is not subject to an international agreement on hazardous chemicals, such as the Rotterdam Convention.

3. Reduced records about 'specified classes of introductions' for lower exposure introductions

Currently, introducers must know whether their introduction is a specified class of introduction and keep technical information about it. This is regardless of the circumstances of the introduction.

Under this proposal, if an introducer knows that their chemical is a [specified class of introduction](#), then they must have records of the relevant information. However, for certain lower exposure introductions, it is proposed that an introducer would only need to keep the relevant records if they knew that the introduction of the chemical was a specified class of introduction. These lower exposure introductions include:

- for **exempted** introductions of the type 'highest indicative risk is very low', where the human **health exposure band is 1 or 2** and the **environment exposure band is 1**. For example, introductions of 25 kg or less of a chemical for use in cosmetics.
- for **reported** introductions of the type 'highest indicative risk is low', where the **human health exposure band is 1, 2 or 3** and the **environment exposure band is 1 or 2**. For example, introductions of
 - 100 kg or less of a chemical for use in cosmetics (at an introduction or end use concentration greater than 1%), or
 - 1,000 kg or less of a chemical for use in cosmetics, where the concentration of the chemical at introduction and at all end uses is 1% or less.

How these changes would affect introducers

These proposals would provide clarity for introducers about the chemical information that is needed for exempted and reported introductions. More introducers who don't know the CAS or IUPAC names of their chemicals would be able to meet their reporting and record-keeping obligations. In particular, the requirement to hold a written undertaking would be replaced by requirements that are more flexible and easier to comply with.

Why we are proposing these changes?

Industry told us that they experience difficulties meeting reporting and record keeping obligations when importing chemicals and products from overseas,

particularly when the Australian introducer is unable to obtain the chemical identity information from the overseas manufacturer or supplier because it is proprietary.

The proposed amendments will provide flexibility for introducers whilst ensuring that AICIS would have access to adequate information for effective compliance monitoring.

Example

Company PQR wishes to import face and body lotions. They have a good relationship with their chemical supplier – Company PQR don't know the CAS or IUPAC names of all chemicals, but using information from their supplier, they know that there is a chemical that is not on the Inventory (they know the INCI name). Company PQR plan to import 90 kg of the chemical in an AICIS registration year and using the Categorisation Guide, they work out that their introduction would be a reported introduction (highest indicative risk is low). The human health exposure band for the introduction is 3 and the environment exposure band for the introduction is 2.

Company PQR would need to submit a pre-introduction report and keep records about their introduction (no change). If the proposed amendments to the Rules go ahead, Company PQR would be able to submit their pre-introduction report by entering the INCI name in the report. The report would not need to be sent to their supplier (the chemical identity holder) for them to provide the CAS or IUPAC name of the chemical before Company PQR could submit it.

View the proposed rules amendments

For full details of the proposed amendments, see Part 2 of the [Exposure Draft](#).

Soap makers: reducing regulatory obligations

What's being proposed?

This 2-part proposal aims to make it **easier and simpler for small-scale soap makers** to comply with AICIS registration, categorisation, reporting and record keeping requirements. The target audience include small or home-based businesses that locally make and sell small amounts of soap at markets or shops.

In summary, these are the 2 proposals regarding soaps that are manufactured/made and sold in Australia:

1. Soaps made using lye (sodium hydroxide or potassium hydroxide) and **100 kg or less** of oil or fat (in an AICIS registration year) – would be considered very low risk introductions and authorised under the 'exempted' category, with simplified reporting and record-keeping requirements.
2. Soaps made using lye and **10 kg or less** of oil or fat that is listed on the Inventory (in an AICIS registration year) – would no longer require the soap maker to register with AICIS or to categorise their introduction.

Key to these proposals is that a soap maker would not need to know the CAS name or number of the soap they are making. The soap maker must know the name of the oil or fat they are using to make the soap – AICIS can then work out the chemical identity of the soap, if needed. These proposals will make it easier for soap makers. The requirements would be proportionate to the risk of the introductions, given the nature of the chemicals known to be used in soap making (the introductions of the ingredients must already be authorised under AICIS), their hazard characteristics and the nature of their introduction.

Proposals on this page do **not** apply to soap that was made outside of Australia. Anyone importing soap (or ingredients to make soap) from overseas, to then sell in Australia must comply with current registration and categorisation requirements.

Proposal 1: Soap made using lye and 100 kg or less of fat or oil (in a registration year) – 'exempted introduction'

We propose to change the categorisation criteria at step 2 of the categorisation process (introductions that can be categorised as exempted), so that an introduction of a soap could be categorised as **exempted** if it meets all 3 criteria.

Criterion 1 – the soap is made in Australia.

Criterion 2 – the soap is made using a saponification process with a fat or oil and either aqueous sodium hydroxide or aqueous potassium hydroxide.

Criterion 3 – the total volume of the fat or oil used by the person to make the soap does not exceed 100 kg in an AICIS registration year.

How this would benefit soap makers

If these rules amendments go ahead, we will incorporate these criteria into our online [Categorisation Guide](#). This means that if these criteria are met:

- the soap maker would not need to work out if the soap they are making is listed on our Inventory (as per current guidance for soap makers)
- the making of a soap would be able to be categorised as an exempted introduction at step 2 of the categorisation process, even if the soap maker does not know the soap's CAS name or number. Simplified reporting and record-keeping requirements are also proposed.

If these criteria are not met for a soap introduction, the soap maker would need to use our Categorisation Guide to work out the introduction category.

What records would the soap maker need to keep?

1. The name of the fats or oils that were used to make the soap.
2. Records to show that criteria 1, 2 and 3 were all met.

Simple reporting obligations for exempted soap introductions

Like all introducers, the soap maker would still need to submit an annual declaration at the end of the AICIS registration year. The soap maker would **not** be required to submit a post-introduction declaration (PID).

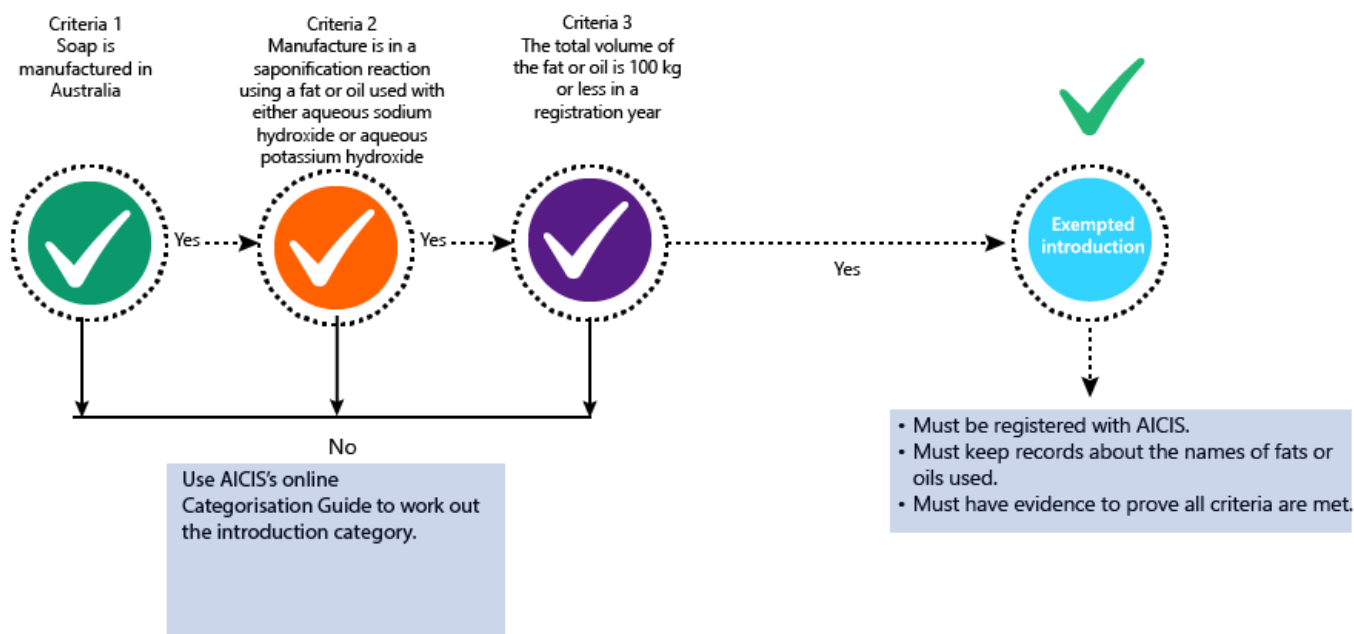
Example - exempted introduction criteria met

Joebe is registered with AICIS and wants to make linseed soap to sell at a local shop. They buy linseed oil and potassium hydroxide from a supplier then mix the ingredients. Joebe will use 90 kg of linseed oil to make the soap in a registration year.

Joebe's soap manufacture is authorised as an 'exempted introduction'. They can sell the soap without telling us first if they don't use more than 100 kg of linseed oil to make the soap in that registration year (1 September to 31 August).

Joebe must keep records and submit an annual declaration at the end of the registration year.

Proposal 1: Soap manufactured in Australia - total volume of fat or oil is 100 kg or less each year



Proposal 2: Soap made using lye and 10 kg or less of fat or oil (in a registration year) - registration and categorisation not required

We propose to remove the requirement to register or categorise for those only making and selling very low quantities of soap. The 4 criteria that must be met are:

Criterion 1 – the soap is made in Australia.

Criterion 2 – the soap is made using a saponification process with a fat or oil and either aqueous sodium hydroxide or aqueous potassium hydroxide.

Criterion 3 – the fat or oil used to make the soap must be on the [Australian Inventory of Industrial Chemicals \(Inventory\)](#).

Criterion 4 – the total volume of the fat or oil used by the person to make the soap does not exceed 10 kg in an AICIS registration year.

Soap introductions that meet these criteria would become '**excluded introductions**', which means that the soap maker would not need to categorise their introduction.

If all of the soap maker's introductions are excluded introductions, they would not need to register with AICIS. If the soap maker imports any ingredients to make their soap or if any of their other introductions are not excluded, they would still need to register with AICIS.

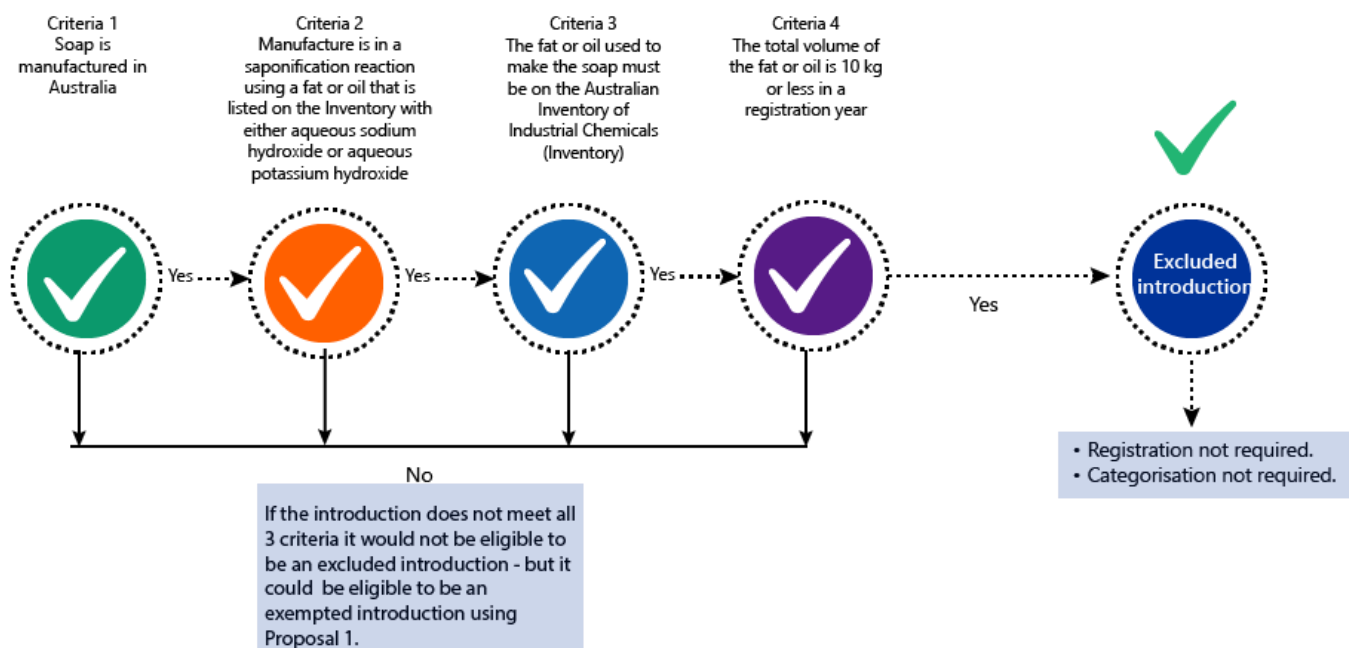
Example registration and categorisation not required

Sharon wants to sell home-made soap at her local market. She decides to use tallow (a type of animal fat) and sodium hydroxide as the lye. She searches for 'tallow' on the Inventory and finds that it is listed with the CAS name: tallow and CAS number: 61789-97-7. She views the chemical record and sees that there are no additional regulatory obligations for this chemical.

Sharon plans to make and sell soap using a total of 10 kg of tallow in that registration year (1 September to 31 August). She will not make any other soap or introduce any other chemicals.

Sharon meets all 4 criteria to be an 'excluded introduction' – she would not need to categorise her introduction. Sharon could sell the soap and **not** need to register with AICIS.

Proposal 2: Soap manufactured in Australia - total volume of fat or oil is 10 kg or less each year



Why are we proposing these changes?

We listened to local soap makers who told us that it can be time-intensive and difficult to meet current regulatory requirements under AICIS. For those who wish to make and sell soap as a hobby or start a small soap business, they told us that it was not cost-effective to do so.

The proposed changes achieve a more fit-for-purpose regulation for these types of very low risk introductions. It will make it easier for small-scale soap manufacturers to comply with requirements and allow AICIS to direct its efforts towards the compliance monitoring of higher risk introductions.

View the proposed rules amendments

For full details, see Part 3 of the [Exposure Draft](#).

Flavour or fragrance blend chemicals: expanding the eligibility criteria

What's being proposed?

We propose to expand the eligibility criteria for reported introductions that can be 'low risk flavour or fragrance blend introductions'. This means that more introductions of chemicals on the **International Fragrance Association (IFRA) Transparency List** could qualify for the **reported** (low risk) category at step 3 of the categorisation process. Minimal, fit-for-purpose reporting and record keeping requirements would apply.

Key points

- The introduction of any chemical in a flavour or fragrance blend (including chemicals on the Inventory) could be categorised as a reported introduction if they meet the eligibility criteria, as well as the reporting and record-keeping requirements. This excludes any chemical that is ineligible for the reported category at '[step 1: introductions that cannot be exempted or reported](#)'.
- Introducers could submit a single pre-introduction report (PIR) for all chemicals that meet the criteria for low-risk flavour or fragrance blend introductions.

If these changes proceed, we will update step 3.2 (low-risk flavour or fragrance blend introductions) of the [Categorisation Guide](#) to include alternative criteria for introductions to be categorised as 'reported'. The existing criteria in step 3.2 will essentially remain. But there will be slight changes to the existing reporting and record keeping requirements to make them more fit-for-purpose or easier for introducers to comply with.

Proposed new eligibility criteria for IFRA-listed chemicals to be 'low-risk flavour or fragrance blend introductions'

A chemical introduction could be a 'low risk flavour or fragrance blend introduction', in the reported category, if all these criteria are met:

Either A) or B):

A) Total volume of chemical imported or manufactured by the introducer in an AICIS registration year is 1,000 kg or less, plus both:

1. concentration of the chemical at introduction is 1% or less
2. concentration of the chemical in end-use products is 1% or less

B) Total volume of chemical imported or manufactured by the introducer in an AICIS registration year is 10 kg or less

chemical is part of a flavour or a fragrance blend and the blend is introduced either on its own, or with other chemicals.

chemical is not known to the introducer to be a carcinogen, mutagen or toxic to reproduction (CMR)

chemical is not known to the introducer to be persistent, bioaccumulative and toxic (PBT)

chemical is not known to the introducer to cause adverse effects mediated by an endocrine mode of action

chemical is on the IFRA Transparency List

chemical is used in accordance with IFRA standards (these standards ban, limit or set criteria for certain chemicals)

How would this affect introducers?

The proposed expanded criteria would mean introductions of more chemicals in flavour and fragrance blends could be categorised in the reported (low risk) category at step 3 of the categorisation process. The reporting and record-keeping requirements would also be streamlined.

Reporting and record keeping requirements

Under the proposal, an introducer would only need to submit a single pre-introduction report (PIR) for all chemicals in a blend that meet the criteria for 'low-

risk flavour or fragrance blend introductions'. This is regardless of whether the new or existing criteria are met.

If an introducer does **not** know the identity the chemical that they are introducing, they would need to provide:

- the name of the blend containing the chemical
- the name of the person or business whom they believe on reasonable grounds would give to AICIS (if requested to do so by the introducer) both of the following:
 - CAS number (if assigned)
 - CAS name, IUPAC name or eligible INCI plant extract name for the chemical
- a statement indicating why the introducer believes that the person or business would provide this chemical identity information directly to AICIS (for example, they have an email from their supplier indicating that they can send this information to AICIS).

Introducers would also need to declare that all criteria have been met. The reporting requirements will apply to PIRs submitted (or varied) on, or after, the proposed amendments take effect.

In this proposal, **a written undertaking would no longer be required**. Instead, it would be replaced by other records that make it easier and more practicable for introducers to meet their record-keeping obligations.

The proposed record keeping requirements are similar to existing requirements for 'low-risk flavour or fragrance blend introductions' and are based around information that an introducer should know or have access to. The replacement of written undertakings with other more practicable records is also being proposed for other types of introduction categories – see [Listed introductions: more practicable record-keeping requirements](#) and [Exempted and reported introductions: more practicable requirements](#)

For full details of all proposed amendments, see the [Exposure Draft](#).

Why are we proposing these changes?

Importers of chemicals in flavour and fragrance blends asked for more flexibility in the AICIS categorisation process regarding chemicals on the IFRA Transparency List. In particular, introducers told us about issues they had with categorising their introductions and meeting their reporting and record-keeping requirements, due to:

- not knowing the name of the chemical that they were introducing because the chemical identity is proprietary
- the difficulty sourcing information about chemicals due to the complex nature of supply chains when chemicals in a flavour or fragrance blends are imported as part of formulated products (such as shampoos and body lotions).

Although we have based the proposed expanded criteria around a chemical being on the IFRA list and use of the chemical in accordance with IFRA standards, additional safeguards are also included to ensure sufficient protection of human health and the environment. These include:

- thresholds on volume and/or concentration of chemicals at introduction and use
- criteria that chemicals with known high hazard characteristics would be ineligible (for example if the chemical is known to meet the GHS criteria for carcinogenicity or the Australian definition for a PBT chemical).

The proposed changes are fit-for-purpose and designed to make it easier for introducers categorise and meet their obligations, whilst providing enough information for AICIS to monitor these chemical introductions.

View the proposed rules amendments

For full details, see Part 4 of the [Exposure Draft](#).

Controlled introduction and use of chemicals: eligibility criteria for low-risk to human health

What's being proposed?

At its simplest, risk is the product of a chemical's hazards and the extent to which people or the environment are exposed to the chemical. We propose to establish criteria for hazardous chemicals to be eligible as 'low risk' for human health at step 4 in the categorisation process, if the introduction and use of the chemicals are strictly controlled.

Industry gave feedback that introductions of chemicals used in highly controlled workplace settings should not be in the assessed category. Assessed introductions require an application for an assessment certificate to be submitted prior to introduction of the chemical – there is a fee associated with the application and it takes time for AICIS to assess the chemical.

The proposed amendments would set criteria for the introduction and use of chemicals with hazard characteristics in human health hazard band C – such as carcinogenicity – that could be 'low risk' for human health at step 4 of the categorisation process. This would be achieved by adding a scenario into human health exposure band 1. The proposed criteria include:

- limit on the volume of chemical introduced per year
- the chemical must not have a consumer end use
- restrictions on who can use the chemical
- control measures (such as isolation or engineering controls) that must be in place for those using the chemical.

It is also proposed that the introducer would provide details of the control measures that will be used, in their pre-introduction report that is submitted to AICIS – this way AICIS can prioritise monitoring of introductions, if needed.

Consumer end use definition

Alongside these changes, we would also update the definition of 'consumer end use' (see below) to give introducers more clarity and to help with categorising a controlled use introduction.

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Introduction of a chemical with hazard characteristics in human health hazard band C could be a 'reported introduction' if it meets the proposed criteria below **and** is very low or low risk to the environment (at step 5 of the categorisation process). Introduction of a chemical that is highly hazardous to the environment, such as one that has the persistent, bioaccumulative and toxic (PBT) hazard characteristic, would still be categorised as assessed.

Proposed criteria for controlled use introductions

- The introduction of the industrial chemical does not involve a designated kind of human exposure.
- The introduction of the industrial chemical is not for any consumer end use.
- The human health categorisation volume for the industrial chemical does not exceed 25 kg.
- During introduction and use of the industrial chemical, either or both of the following measures (control measures) to eliminate or minimise exposure of persons to the industrial chemical are implemented:
 - the industrial chemical is isolated from any person who could be exposed to it
 - engineering controls (including a mechanical device or process).
- If, after implementing the control measures, exposure of persons to the industrial chemical could still occur, that potential exposure is minimised, so far as is reasonably practicable, by the implementation of additional suitable control measures, including the provision and use of suitable personal protective equipment
- The industrial chemical is subject to the control of the person who introduces the industrial chemical.

Example – controlled use introduction – proposed criteria met

NOP Pty Ltd plan to introduce a chemical that is a known carcinogen. It would be used to manufacture a second, intermediate chemical that itself would be subsequently used up in the manufacture of a third chemical.

NOP Pty Ltd establish:

- they would introduce 180 kg of the chemical in an AICIS registration year (this is equivalent to a human health categorisation volume of 18 kg)
- the chemical would be for use at NOP's factory only

- the chemical would remain isolated from workers for its entire lifecycle in the factory, with NOP Pty Ltd using an enclosed pipe work system
 - during maintenance and cleaning of equipment, workers would wear full personal protective equipment
 - they would document their isolation control measures
 - there would be no exposure of the chemical to the public at any time – as defined in the ‘consumer end use’ definition
 - there would be [no designated kind of release into the environment](#)
 - introduction of the chemical would be low risk to the environment
- => introduction of the chemical would meet the proposed criteria to be in the reported category

Proposal to add extra information regarding the definition of ‘consumer end use’

The term ‘consumer end use’ is currently defined by the Rules and is essentially an end use where an industrial chemical is available to the general public, including on its own, in a combination with other industrial chemicals or as part of an article (other than where the chemical undergoes a chemical change to produce the article).

As detailed above, one of the proposed criteria is that the chemical must **not** have a ‘consumer end use’. This means that the chemical cannot be sold or made available to the public.

We propose to update the definition in the Rules to provide further clarity for introducers about when an introduction **would have** a ‘consumer end use’.

To avoid doubt, it is proposed that the definition would make it clear that a chemical is made available to the general public if the end use involves using the chemical:

- in an inhabited residential building or
- either on its own or in combination with one or more other industrial chemicals, in an area that is accessible to the general public before the chemical has been rendered unavailable for human exposure.

Example: a consumer end use does exist

Company XYZ is intending to paint the hallways of an occupied residential strata complex. It is intended that residents would still live in the complex while the painting is done. This means there would be potential exposure to humans and a ‘consumer end use’ exists.

Company XYZ would **not** meet the 'no consumer end use' criterion for a controlled use introduction.

Example: a consumer end use does not exist

Company ABC wants to import a specialist adhesive. It would be used in industrial settings only – it would not be made available to the general public (for example, it would not be sold in stores for DIY use).

Company ABC could consider whether they meet all other controlled use introduction criteria.

How would this affect introducers?

If the proposed changes go ahead, we would add a scenario to human health exposure band 1 that would allow chemicals with known high hazards to be low risk to human health, if the proposed criteria relating to the highly controlled introduction and use of the chemical are met. These changes would be reflected in the categorisation process at step 4.3 'Work out your human health exposure band' and in other online guidance.

These proposed changes could mean that some introductions that would currently be categorised as assessed (medium to high risk) would be able to be categorised as reported (low risk). These introducers would not have to apply for an assessment certificate – there would not be a time-to-market delay and no application fee.

Introducers would have to meet all reporting and record-keeping requirements for reported introductions – including being able to provide information to AICIS about their introduction if we ask for it.

Why are we proposing these changes?

Chemicals that are highly hazardous to humans are 'medium to high risk' at step 4 of the categorisation process and therefore categorised as 'assessed introductions' under the current rules. Industry gave feedback that introductions of highly hazardous chemicals should not be categorised as assessed introductions if used in highly controlled settings that would mitigate the risk.

We have considered what industry has told us, and are proposing amendments that make the regulatory obligations more proportionate to the risks of these types of introductions. Risk is a function of both a chemical's hazards and the level of human or environmental exposure to that chemical. Thus, the premise of this proposal, is that if exposure to the chemical is sufficiently limited, then the risk from introduction of the chemical could be low risk (reported introduction); not very low risk (these would be exempted introductions) and not without risk. Importantly, the chemical would still need to be low risk to the environment.

As an added safeguard, AICIS would require introducers to provide details of the control measures that would be used, in their pre-introduction report. This information will help us with our compliance monitoring priorities.

View the proposed rules amendments

For full details of the proposed amendments, see Part 5 of the [Exposure Draft](#).

List of chemicals with high hazards for categorisation: refining the requirements

What's being proposed?

We propose to refine our [List of chemicals with high hazards for categorisation](#) (the List) to streamline the categorisation process for introducers at 'Step 4: Work out your introduction's risk to human health' and 'Step 5: Work out your introduction's risk to the environment'.

What is the 'List of chemicals with high hazards for categorisation'?

It's a list of chemicals that are regarded as highly hazardous to human health or the environment by trusted national and international sources. Introducers must check this list at steps 4.4 and 5.4 of the categorisation process when working out if their chemical introduction could be categorised as exempted or reported. If a chemical is on the List, the chemical has one or more of the hazard characteristics in human health hazard band C or environment hazard band C or D and the introduction could be categorised as an 'assessed introduction', depending on the circumstances of the introduction. The List is from Appendix 8.1 of the Industrial Chemicals Categorisation Guidelines (Categorisation Guidelines).

The proposed changes to the List relate to:

- A. Removing information sources from the List
- B. Removing entries from the List
- C. Adding chemicals assessed or evaluated by AICIS to the List
- D. Checking esters and salts of chemicals on the List

Note: Since originally publishing the List in 2020, information sources have been updated to include more chemicals. When the updated Categorisation Guidelines come into effect in 2024, we'll add these chemicals to the List.

A. Removing information sources from the List

We propose to remove these information sources from the List:

1. Class II chemicals on the Chemical Substances Control Law of Japan (CSCL)
2. Schedule 1 in the Government of Canada Toxic Substances List
3. Substances with 'equivalent level of concern' in the European Chemicals Agency (ECHA) REACH Annex XIV Authorisation
4. Substances with 'equivalent level of concern' in the EU Substances of Very High Concern (SVHC)

5. Substances with 'respiratory sensitising properties' in the EU SVHC
6. Group 3 carcinogens on the International Agency for Research on Cancer (IARC) Monographs

These changes would occur by amending Appendix 8.1 of the AICIS [Categorisation Guidelines](#).

1. Class II on the Chemicals Substances Control Law of Japan (CSCL)

We propose to remove Class II chemicals on the CSCL from the List. It is more appropriate for the hazard characteristics of the chemicals on this list and the categorisation outcomes for introductions of those chemicals to be considered on a per introduction basis. Class II chemicals on the CSCL includes many organotin chemicals – at step 5.1 of the current categorisation process, introductions of more than 10 kg per year of an organotin chemical are already medium to high risk for the environment and are categorised as assessed introductions.

2. Schedule 1 – Government of Canada Toxic Substances List

We propose to remove chemicals from Schedule 1 on the Government of Canada Toxic Substances List from the List. The Canadian Schedule 1 list is risk based, rather than hazard based and the criteria do not clearly align with hazard characteristics in human health hazard band C or environment hazard bands C or D. Most Schedule 1 chemicals are already captured by other information sources for the List, or under step 5.1 of the AICIS categorisation process as medium to high risk for the environment and are assessed introductions.

3. Substances with 'equivalent level of concern' from the European Chemicals Agency (ECHA) REACH Annex XIV Authorisation

We propose to remove the words 'Also included are substances with equivalent level of concern' from the entry on ECHA Reach Annex XIV Authorisation in part 8.1 of the Industrial Chemicals Categorisation Guidelines relating to the List. The reason is that 'substances with equivalent level of concern' do not correspond to any specific hazard characteristic in human health hazard band C or environment hazard bands C or D.

4. Substances with 'equivalent level of concern' from the EU Substances of Very High Concern (SVHC)

We propose to remove the words 'or substances with equivalent concern' from the entry on EU SVHC in part 8.1 of the Industrial Chemicals Categorisation Guidelines relating to the List. The reason is that 'substances with equivalent level of concern' do not correspond to any specific hazard characteristic in human health hazard band C or environment hazard bands C or D.

5. Substances with 'respiratory sensitising properties' from the EU Substances of Very High Concern (SVHC)

We propose to remove chemicals that are on the List only because they are on the EU SVHC due to 'respiratory sensitising properties'. The reason is that 'respiratory sensitising properties' is not a hazard characteristic in human health hazard band C.

6. Group 3 carcinogens on the International Agency for Research on Cancer (IARC) Monographs

We propose to remove 'Group 3' from the List in relation to the IARC Monograph. The List should only include IARC Groups 1, 2A and 2B to align with the hazard characteristics we consider during the categorisation process. This would make it consistent with part 8.1 of the Categorisation Guidelines.

How would this affect introducers?

If these sources are removed, the introductions of these chemicals would generally remain in the assessed category. This is because the chemicals will either stay on the List based on other information sources or be captured under one of the categorisation steps as medium to high risk. A small number of introductions may become eligible to be 'low risk', but this would depend on the chemical, the information available to the introducer and the circumstances of the introduction.

B. Removing entries from the List

There are currently entries on the List that do not meet the definition of an industrial chemical and therefore are not regulated by AICIS. We propose to remove entries that are **not** any of the following:

- a chemical element
- a compound or complex of a chemical element
- a UVCB substance.

For example, 'Firefighter (occupational exposure as a)' would be removed, as it does not refer to a specific chemical substance.

In addition, any entries meeting the definition of a radioactive chemical in the Rules would also be removed.

How would this affect introducers?

Removing these irrelevant entries will 'tidy up' the List and could avoid confusion. Otherwise, these changes would not affect introducers.

C. Adding chemicals assessed or evaluated by AICIS to the List

In this proposal, if a chemical was assessed or evaluated and determined to possess a hazard characteristic in **human health hazard band C** or **environment hazard bands D or C**, the chemical may be added to the List, at the discretion of the AICIS Executive Director.

How would this affect introducers?

This proposal would mean that chemicals that have been assessed by AICIS as having the highest hazards would generally not be able to be categorised as exempted or reported at steps 4-6 of the categorisation process. This would be an appropriate outcome. Any confidentiality of chemical identity already granted by AICIS would be maintained when adding chemicals to the List.

D. Checking esters and salts of chemicals on the List

If a chemical being introduced is an ester or salt of a chemical that is on the List, then the chemical being introduced is considered to have the same human health hazard band C or environment hazard band C or D hazard characteristics as the chemical that is on the List. Currently, introducers of esters and salts need to check whether their chemical is an ester or salt of every chemical on the List. Industry have advised that this task is time-consuming and can be difficult. We are proposing to:

- remove the requirement to check for esters and salts of most entries on the List.
- specify the chemicals that an introducer needs to check to determine if their chemical is an ester or salt of it, and set any applicable boundaries, for the specified chemicals.
- add a definition of ester to the Categorisation Guidelines.

This would be achieved by editing the relevant hazard characteristics in part 6 of the Categorisation Guidelines. The definitions would be amended to specify chemicals of which the introduced chemical is an ester or salt.

For example, in part 6.3 - 'Carcinogenicity – Human health hazard band C', the text at part 6.3.1 would be amended to replace:

- 'the chemical (or the chemical of which it is an ester or salt) is on the list of chemicals with high hazards for categorisation based on its carcinogenicity' with both the below text:
- 'the chemical is on the list of chemicals with high hazards for categorisation based on its carcinogenicity or
- the chemical is an ester or salt of specified chemicals in Part 6.3.2 of these Guidelines, which are on the list of chemicals with high hazards for categorisation based on carcinogenicity (unless an exception, as identified in Part 6.3.2, is met for that chemical'

The specified chemicals, along with any boundaries (such as molecular weight cut-offs) that may be applicable to them would then be specified in the part following the definition.

The identities of all chemicals that would be in those parts and any applicable boundaries is still being determined. However, an example of what this could look like is shown below using the chemical diethanolamine (CAS number 111-42-2). Diethanolamine is listed on our Inventory and is on the List based on carcinogenicity. In this case, salts of diethanolamine would also have the carcinogenicity hazard characteristic. The text at part 6.3.2, which indicates the information that would be needed to demonstrate the absence of the carcinogenicity hazard characteristic, would be amended to replace:

- '...confirmation that the chemical (or the chemical of which it is an ester or salt) is not on the list of chemicals with high hazards for categorisation, based on its carcinogenicity.'

with the below text:

- 'confirmation that the chemical is not on the list of chemicals with high hazards for categorisation, based on its carcinogenicity, and
- confirmation that the chemical is not an ester or salt of the following specified chemicals which, are on the list of chemicals with high hazards for categorisation, based on carcinogenicity:
 1. Diethanolamine (CAS number 111-42-2), unless the chemical...

2. ...'

At this stage we are consulting on the concept only. The total number of chemicals or classes of chemicals that would be expected to be specified across all human health hazard band C and environment hazard band C and D hazard characteristics is fewer than 50. However, the number of chemicals specified and the identities of those chemicals would be subject to change at future amendments, based on the availability of new information and/or updates to the List based on information source updates.

We would seek public feedback on the identity of chemicals proposed to be specified, along with any boundaries early 2024, prior to amending the Categorisation Guidelines.

Proposed definition of ester

Ester means a chemical that can form alcohols and acids by the action of water, dilute acid or dilute alkali.

How would this affect introducers?

This change would greatly reduce the number of entries on the List that introducers would need to check to determine if their introduced chemical is an ester or salt. It would also make it possible for AICIS to identify boundaries (if appropriate) for those specific esters/salts (for example molecular weight cut-offs).

A small number of introductions may become eligible to be 'low risk', but this would depend on the chemical, the information available to the introducer and the circumstances of the introduction.

Options on how to show the absence of hazards in categorisation

What's being proposed?

We propose to amend some of the options in the Categorisation Guidelines that introducers can use to demonstrate the absence of certain human health and environment hazard characteristics at steps 4 and 5 of the categorisation process, when working out if their introduction can be categorised as exempted or reported.

The proposed amendments would generally help introducers to categorise their introductions as exempted or reported and meet their record-keeping obligations – for example, addition of models for in silico predictions and OECD test guidelines. However, we are also proposing to refine some existing requirements.

In each case, the revised options would apply to introductions occurring on, or after, the proposed amendments to the Guidelines take effect (expected April 2024). Following amending of the Guidelines, we would also update our Categorisation Guide.

Read details for each topic for more information about what is proposed in each case.

More models for in silico predictions

At steps 4 and 5 of the categorisation process, the absence of certain hazard characteristics can be demonstrated by having a suitable in silico prediction, with the suitable models for this identified in appendix 8.2 of the Categorisation Guidelines. We propose to add the following in silico models to this appendix. These models have been found to give reliable predictions in these instances.

1. iSafeRat® Desktop - this in silico model will be added as an option in:
 - Table 1 of appendix 8.2 - In silico models for human health hazard characteristics, for eye damage/eye irritation
 - Table 2 of appendix 8.2 – In silico models for environment hazard characteristics, for acute aquatic toxicity and bioaccumulation (as a function of Log Kow)

2. OASIS-CATALOGIC - this in silico model will be added as an option in Table 2 of appendix 8.2 – In silico models for environment hazard characteristics, for persistence (as a function of half-life), bioaccumulation (as a function of Log Kow), and acute aquatic toxicity.

How would this affect introducers?

Introducers would have more in silico options when proving the absence of particular human health and environment hazard characteristics.

Ready biodegradability – added test guideline

At step 5 of the categorisation process, a relevant test result from a study on a chemical, conducted following an acceptable test guideline for ready biodegradability, is an option for an introducer to demonstrate the absence of a number of environment hazard characteristics.

We propose to add OECD Guideline No. 310 – Ready Biodegradability – CO₂ in sealed vessels, as an acceptable test guideline in Appendix 8.4.2 of the Categorisation Guidelines.

How would this affect introducers?

Introducers would have more testing options when proving the absence of environment hazard characteristics using a ready biodegradability test result.

Skin irritation – expanded use of information

We propose to make a change so that an introducer could use in vivo skin irritation studies that show only 'Category 3 mild skin irritation' to prove the absence of the skin irritation hazard characteristic, when working out if their introduction could be categorised as exempted at step 4 of the categorisation process. Currently, if an in vivo study shows only a 'Category 3 mild skin irritation', it can't be used as proof of its absence of this hazard characteristic.

The studies will be acceptable as long as they do not show 'Category 2 skin irritation'. (The categories are described by the GHS in Chapter 3.2.)

If this change goes ahead, we will amend part 6.20.2 of the Categorisation Guidelines. The amendment will specify that we will accept an in vivo study to show

the absence of the skin irritation hazard characteristic, but the study must not show 'Category 2' skin reactions.

We are proposing these changes because 'Category 3 mild skin irritation' is not considered hazardous in Australia – see the Model Work Health and Safety Regulations in Australia.

How would this affect introducers?

This hazard characteristic is in human health hazard band A. Information to demonstrate the absence of this hazard characteristic is only required if an introducer is attempting to categorise their introduction in human health exposure band 3 or 4 as exempted. It is not required for reported introductions.

Introducers would have more options to prove the absence of this hazard characteristic. The absence of the skin irritation hazard characteristic may also be able to be shown for a greater number of introductions.

Skin sensitisation – added test guideline

We propose to add OECD Guideline No. 497 – Guideline on Defined Approaches for Skin Sensitisation as an option an introducer can use to prove the absence of the skin sensitisation human health hazard characteristic, when working out if their introduction could be categorised as exempted or reported at step 4 of the categorisation process. This follows our review of the test guideline after it was published in June 2021.

If these changes go ahead, we will amend part 6.14.2 of the Categorisation Guidelines so it is consistent with, and better reflects, the defined approaches in OECD Guideline No. 497. We will also add the Guideline as an acceptable test guideline to appendix 8.4.1

How would this affect introducers?

This hazard characteristic is in human health hazard band B. Information to demonstrate the absence of this hazard characteristic is only required for:

- reported introductions, if the human health exposure band is 4
- exempted introductions, if the human health exposure band is 3 or 4.

Introducers would have more options to prove the absence of this hazard characteristic in these circumstances. The absence of the skin sensitisation hazard characteristic may also be able to be shown for a greater number of introductions.

Specific target organ toxicity after repeated exposure – refined requirements

We propose to remove a current option an introducer has for proving that a high molecular weight (HMW) polymer does not have the hazard characteristic specific target organ toxicity after repeated exposure, when working out if their introduction could be categorised as exempted or reported at step 4 of the categorisation process. This proposal would only apply to a subset of introductions of HMW polymers that would be categorised as exempted or reported – for example, it wouldn't apply to exempted introductions of polymers of low concern (these are exempted at step 2 of the categorisation process).

The option proposed to be removed is where the basis for proving that a HMW polymer does not have the hazard characteristic, specific target organ toxicity after repeated exposure, is that it does not have the skin corrosion hazard characteristic. Instead, we are proposing to add an option where introducers could consider the level of low molecular weight species in the polymer to be able to prove it does not have the hazard characteristic.

We are proposing this change because regardless of whether the polymer does or doesn't have the skin corrosion characteristic, if there are higher levels of low molecular weight species, there could be a systemic toxicity concern.

If these changes go ahead, we will amend part 6.16.2 of the Categorisation Guidelines as follows:

1. Remove the current skin corrosion option for HMW polymers ('information that demonstrates that the chemical is a high molecular weight polymer that does not have the hazard characteristic, skin corrosion')
2. Add a new option for introducers to be able to have information about the level of low molecular weight species for the HMW polymer that demonstrates:
 - less than 5% by mass of molecules with molecular weight less than 1000 g/mol
 - less than 2% by mass of molecules with molecular weight less than 500 g/mol

How would this affect introducers?

This hazard characteristic is in human health hazard band B. Generally, introducers only need to show the absence of this hazard characteristic for introductions in human health exposure band 4, with a human health categorisation volume greater than 1000 kg (exceptions to this are for certain end uses, such as end use in personal vaporisers or end use in articles with food contact).

If the proposed changes take effect, the current skin corrosion option would no longer be available. This means that introducers would have to consider information about the level of low molecular weight species in a HMW polymer, or any of the other options given in part 6.16.2 of the Categorisation Guidelines, to show the absence of the hazard characteristic.

This proposal would also mean that current introducers of HMW polymers that relied on the skin corrosion option at step 4 of the categorisation process, when working out that their introduction is categorised as exempted or reported, could no longer rely on this information. For introductions of HMW polymers to be categorised as exempted or reported after the amended Guidelines take effect, introducers would instead need to consider other information, such as the level of low molecular weight species.

Based on information provided to AICIS in pre-introduction reports (reported introductions) and post-introduction declarations (exempted introductions), we would contact introducers who may be affected by this change, prior to amendments taking effect. This is expected to be only a very small number of introducers.

Bioaccumulation potential – refined requirements

For the bioaccumulation potential hazard characteristic only (environment hazard band A), we propose to remove the current options introducers have at step 5 of the categorisation process, to use the results of a 'ready biodegradability' test to show the absence of the hazard characteristic. The results of ready biodegradability tests will still be able to be used for a number of other hazard environment hazard characteristics.

We are proposing this change because ready biodegradation of chemicals by micro-organisms does not preclude their potential to bioaccumulate in other organisms.

If this change goes ahead, we would remove the current options where results from an acceptable test guideline for ready biodegradability can be used from part 6.31.2 of the Categorisation Guidelines (demonstrating the absence of the hazard characteristic, bioaccumulation potential).

The options that would be removed are:

1. if the chemical is not a highly branched organic chemical – a test result from a study on the chemical or suitable read across information, conducted following an acceptable test guideline for ready biodegradability, which meets at least one of the following degradation pass levels during the period specified in the test method:
 - tests based on dissolved organic carbon (DOC) - $\geq 70\%$ DOC removal, or

- tests based on carbon dioxide generation - $\geq 60\%$ theoretical carbon dioxide, or
 - tests based on oxygen depletion - $\geq 60\%$ theoretical oxygen demand
2. a test result from a study on the chemical, conducted following an acceptable test guideline for ready biodegradability, which meets at least one of the following degradation pass levels during the period specified in the test method:
- tests based on dissolved organic carbon (DOC) - $\geq 70\%$ DOC removal, or
 - tests based on carbon dioxide generation - $\geq 60\%$ theoretical carbon dioxide, or
 - tests based on oxygen depletion - $\geq 60\%$ theoretical oxygen demand

How would this affect introducers?

This hazard characteristic is in environment hazard band A. Information to demonstrate the absence of this hazard characteristic is only required if an introducer is attempting to categorise their introduction in environment exposure band 3 or 4 as exempted (environment categorisation volume greater than 1000 kg). It is not required for reported introductions.

If the proposed changes take effect, the current ready biodegradability options would no longer be available. This means that introducers would have to consider other options given in part 6.31.2 of the Categorisation Guidelines, to show the absence of the hazard characteristic. There are a number of other 'non-study' options available, including consideration of molecular weight, levels of low molecular weight species for polymers and use of in silico predictions.

Based on information provided to AICIS, for example in post-introduction declarations, we would contact introducers who may be affected by this change, prior to amendments taking effect. The number of current introducers of chemicals in the exempted category who relied on this ready biodegradability option, which following this amendment, would have introductions that would need to be categorised as reported instead, is expected to be very few (if any).

Fluorinated chemicals: categorisation changes for health and environmental protection

What's being proposed?

We propose to make amendments to the categorisation criteria to clarify what types of fluorinated chemicals are of highest concern to human health and the environment. The aim of this amendment is to ensure that introductions of high concern fluorinated chemicals **could not** be categorised as exempted (very low risk) or reported (low risk) at steps 4-6 of the categorisation process.

We propose to define the fluorinated chemicals of highest concern in the Industrial Chemical (General) Rules 2019 (Rules) under the term, '[designated fluorinated chemical](#)'.

This new term would replace the phrase that is currently used in the Rules, which is 'industrial chemical that contains a sequence of greater than or equal to 4, but no more than 20, fully fluorinated carbon atoms'. The new term would capture a slightly different subset of fluorinated chemicals than the current phrase.

Proposed new definition in the Rules: 'designated fluorinated chemical'

This means an industrial chemical that contains a sequence of atoms (whether linear, branched or cyclic) to which all of the following paragraphs apply:

- (a) subject to paragraph (b), the sequence consists only of at least 4, but no more than 20, fluorinated carbon atoms*, none of which are fluorinated carbon atoms* that are part of conjugated double bonds;
- (b) if the sequence is broken in any place, the break consists only of a single atom or single substituted atom;
- (c) the sequence includes at least one perfluorinated methyl group (CF₃) or perfluorinated methylene group (CF₂).

*fluorinated carbon atom means a carbon atom attached to at least one fluorine atom.

Notes about the proposed definition

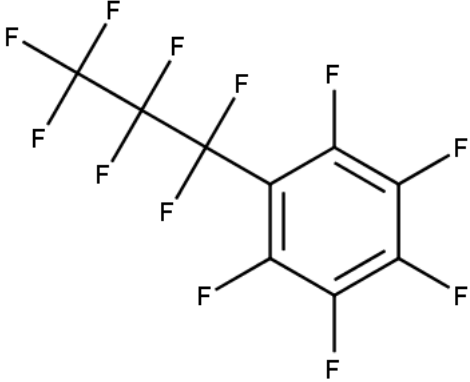
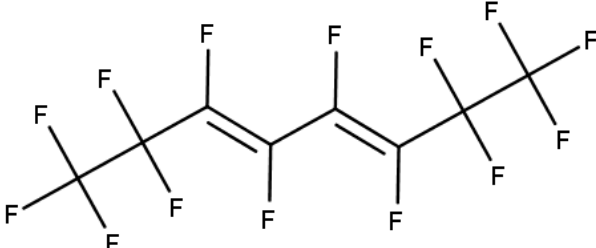
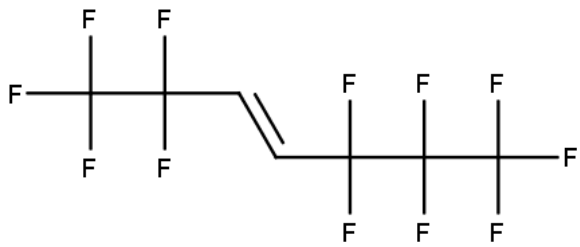
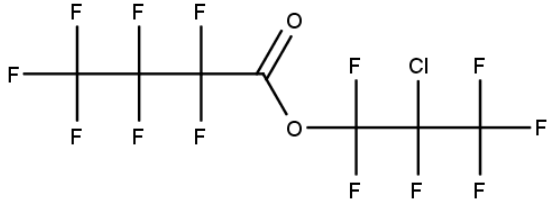
Under the proposed definition of 'designated fluorinated chemical':

- the sequence of carbon atoms could be linear, branched, or cyclic
- the sequence could include multiple breaks by a single atom (such as O or S) or substituted atom (such as C=O)
- the chemical could be polyfluorinated, provided the sequence contains at least one perfluorinated methyl group (CF₃) or perfluorinated methylene group (CF₂)
- the sequence excludes fluorinated carbon atoms that are part of conjugated double bonds. Conjugated double bonds could include aromatic carbons.

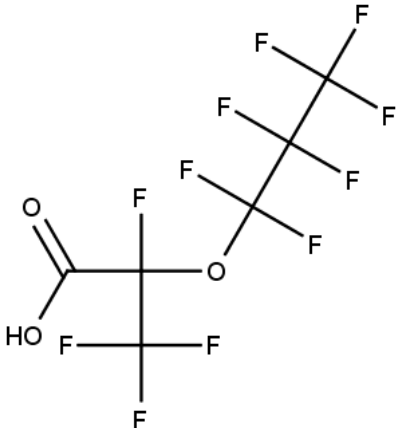
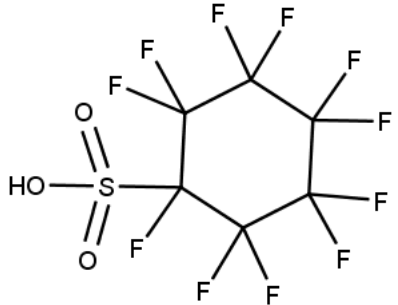
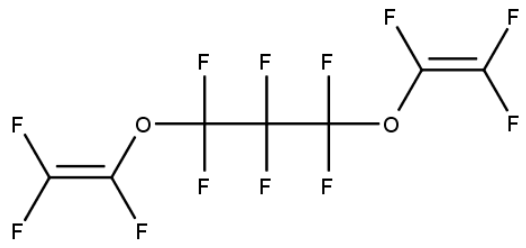
If the proposal proceeds, the requirements would be incorporated into steps 4.1 and 5.1 of the Categorisation Guide. At steps 4 and 5, the indicative human health risk and indicative environment risk for the introduction of a chemical that is a 'designated fluorinated chemical' would always be **medium to high risk**. As a result, the introduction would be an **assessed** introduction at step 6 of the categorisation process.

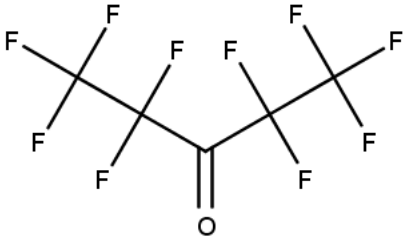
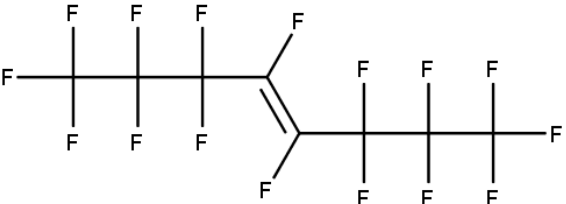
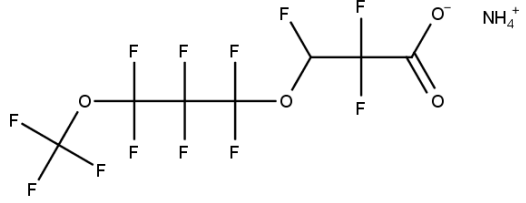
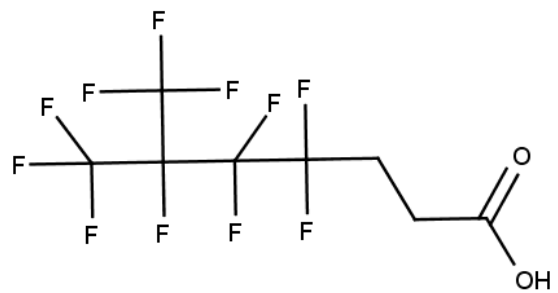
Examples

Examples of fluorinated chemicals that **WOULD NOT MEET** the proposed definition

Chemicals	Comments
 <p style="text-align: center;">CAS RN 54326-26-0</p>	<ul style="list-style-type: none"> • Sequence of 3 fluorinated carbon atoms • Fluorinated carbon atoms on aromatic ring excluded from sequence
 <p style="text-align: center;">CAS RN 105311-63-5</p>	<ul style="list-style-type: none"> • Sequence of 2 fluorinated carbon atoms • Sequence is broken by fluorinated carbon atoms that are part of conjugated double bonds
 <p style="text-align: center;">CAS RN 2511100-75-5</p>	<ul style="list-style-type: none"> • Sequence of 3 fluorinated carbon atoms • Sequence is broken by more than a single atom or single substituted atom
 <p style="text-align: center;">CAS RN 67135-90-4</p>	<ul style="list-style-type: none"> • Sequence of 3 fluorinated carbon atoms • Sequence broken by more than a single atom or single substituted atom

Examples of fluorinated chemicals that WOULD MEET the proposed definition

Chemical	Comments
 <p>CAS RN 13252-13-6</p>	<ul style="list-style-type: none"> • Sequence of 5 fluorinated carbon atoms • Ether linkage is a single atom break in the sequence
 <p>CAS RN 2106-55-0</p>	<ul style="list-style-type: none"> • Sequence of 6 fluorinated carbon atoms • Sequence can be cyclic
 <p>CAS RN 13846-22-5</p>	<ul style="list-style-type: none"> • Sequence of 7 fluorinated carbon atoms • Fluorinated carbon atoms on double bond considered part of sequence as double bond is not conjugated • Ether linkages considered a single atom break in the sequence • Multiple single atom or single substituted atom breaks allowed in the sequence
	<ul style="list-style-type: none"> • Sequence of 4 fluorinated carbon atoms • Carbon atom of carbonyl group considered a single

 <p style="text-align: center;">CAS 684-32-2</p>	<p>substituted atom break in the sequence</p>
 <p style="text-align: center;">CAS RN 115264-42-1</p>	<ul style="list-style-type: none"> • Sequence of 8 fluorinated carbon atoms • Fluorinated carbon atoms on double bond considered part of sequence as the double bond is not conjugated
 <p style="text-align: center;">CAS RN 958445-44-8</p>	<ul style="list-style-type: none"> • Sequence of 6 fluorinated carbon atoms • "CFH" carbon atom included in sequence • Ether linkages considered a single atom break in the sequence • Multiple single atom or single substituted atom breaks allowed in the sequence
 <p style="text-align: center;">CAS RN 207987-90-4</p>	<ul style="list-style-type: none"> • Sequence of 5 fluorinated carbon atoms • Sequence can be branched

How would this affect introducers?

Introducers would need to consider the proposed definition at steps 4 and 5 of the categorisation process, when working out if their introduction could be categorised as exempted or reported.

If their introduction is of a 'designated fluorinated chemical', then:

- the indicative human health risk for the introduction would be medium to high at step 4 of the Categorisation Guide
- the indicative environment risk for the introduction would be medium to high at step 5 of the Categorisation Guide
- the introduction would be in the **assessed category** at step 6 - the introducer would generally need to apply for an [assessment certificate](#) before any introduction of the chemical could occur (fees apply).

Current exempted or reported introductions of designated fluorinated chemicals

If the proposed changes to the Rules take effect, anyone who had been introducing a chemical that meets the definition of 'designated fluorinated chemical' – under the exempted category (of the type 'highest indicative risk is very low') or reported category (of the type, 'highest indicative risk is low') – would have to cease any further introduction of the chemical under those category types.

If they wished to continue introducing their chemical into Australia, it would be an **assessed introduction** – they would generally be required to apply for an [assessment certificate](#) and fees apply.

We would contact any affected introducers who had submitted a post-introduction declaration or a pre-introduction report for a designated fluorinated chemical prior to amendments taking effect.

Why we are proposing these changes?

In general, fluorinated chemicals are of high concern to human health and the environment and are already a ['specified class of introduction'](#) under AICIS.

Our proposed changes would clarify the types of fluorinated chemicals, including 'next generation' type fluorinated chemicals, that would warrant an AICIS assessment and approval before being introduced into Australia.

Our proposed changes are intended to:

- maintain protection of Australians and our environment from harms caused by the introduction and use of fluorinated chemicals
- more closely align the types of fluorinated chemicals we consider to be of highest concern to human health and the environment with regulatory approaches on fluorinated chemicals by overseas jurisdictions.

View the proposed rules amendments

For full details, see Part 7 of the [Exposure Draft](#).

Persistent organic pollutants (POPs): categorisation changes for health and environmental protection

What's being proposed?

We propose to expand the current criteria so that introductions of chemicals that have characteristics of persistent organic pollutants (POPs) could not be in the exempted or reported introduction category. This means that except for 2 scenarios*, the introduction of a chemical would always be in the assessed category, if any of the following apply:

- The [Persistent Organic Pollutants Review Committee](#) has decided that the chemical meets the POPs screening criteria set out in Annex D of the Stockholm Convention.
- The AICIS Executive Director has decided that the chemical meets the Annex D screening criteria for POPs while making the decision about issuing an assessment certificate for that chemical.
- The AICIS Executive Director has decided that the chemical meets the Annex D screening criteria for POPs based on an AICIS evaluation done on that chemical.

* Scenario 1: Introductions that are in the 'listed' category.

* Scenario 2: Chemicals used only for research or analysis and introduced at 100 kg or less in an AICIS registration year. The applicable category for these introductions would be determined using the AICIS Categorisation Guide.

Key points

1. In this consultation, 'chemicals with POPs characteristics' refer to chemicals that aren't yet listed as POPs under Annex A, B or C to the Stockholm Convention, but meet the POPs screening criteria in Annex D.
2. **Step 1** of the AICIS categorisation process stipulates some introductions that cannot be categorised as exempted or reported. The introductions of chemicals listed in Part 1 of Annex A, B or C to the Stockholm Convention are already identified at step 1 of the categorisation process (except when introduced at 100 kg or less in an AICIS registration year for use in research or analysis).
3. If these rules amendments proceed, we would expand the current criteria to identify additional introductions that cannot be exempted or reported at step 1 of the AICIS categorisation process. We would publish a list of chemicals and more online guidance in our Categorisation Guide to assist introducers.

4. We would contact any affected introducers who have submitted a post-introduction declaration or a pre-introduction report prior to amendments taking effect to advise that their introduction would be subject to the new rules (if applicable).

How would this affect introducers?

Under this proposal, we would add the expanded POPs criteria to the Categorisation Guide at Step 1: Introductions that cannot be exempted or reported. When categorising their introductions, introducers would need to check to see if their chemical has POPs characteristics. If it does, there will be 2 possible outcomes:

Outcome 1: if 100 kg or more of chemical introduced in an AICIS registration year and/or not only used in research or analysis

The introduction of the chemical cannot be categorised as exempted or reported. It will generally be categorised as **assessed** – the introducer would need to apply for an [assessment certificate](#) before any introduction of the chemical occurs (or before any further introduction of the chemical occurs, if already being introduced) – fees apply.

Outcome 2: if 100 kg or less of chemical introduced in an AICIS registration year and only used in research or analysis

Introductions of chemicals with POPs characteristics could be eligible for the exempted or reported categories, if they are both of the following:

- The chemical is being introduced only for research or analysis purposes.
- The chemical is introduced at 100 kg or less in an AICIS registration year.

For this type of introduction, the Australian manufacturer or importer will need to work through our [Categorisation Guide](#) to determine if it is in the exempted, reported or assessed category.

Example

Decabromodiphenylethane or DBDPE (CAS number 84852-53-9; CAS name: Benzene, 1,1'-(1,2-ethanediyl)bis[2,3,4,5,6-pentabromo-])

Most introductions of this chemical could not be categorised as exempted or reported and would be categorised as 'assessed'. This is because an AICIS assessment of this chemical identifies that the chemical has POPs characteristics under the Stockholm Convention's POPs screening criteria.

Why we are proposing these changes

POPs are chemicals that are of high concern worldwide. This proposal is designed so that chemicals with POPs characteristics are given the same regulatory treatment as those that are formally recognised as POPs under the Stockholm Convention.

We already have strict categorisation rules for POPs that are listed in Part 1, Annex A, B and C of the Stockholm Convention. In most cases, these chemicals cannot be categorised as exempted or reported introductions. We propose to extend this to include chemicals that have POPs characteristics but are yet to be listed in Annex A-C of the Stockholm Convention. By restricting the introduction of these chemicals by first requiring an application for an assessment certificate, we would give greater protections to Australians and the environment.

View the proposed rules amendments

For full details about what's proposed, see Part 6 of the [Exposure Draft](#).

Chemicals containing hazardous elements added to human health hazard band C

What's being proposed?

We are proposing to add the following criteria to human health hazard band C:

- chemical is an inorganic arsenic compound
- chemical contains beryllium, cadmium, chromium (VI), lead or nickel.

What is human health hazard band C and what does it mean?

Currently in [step 4](#) of the AICIS categorisation process, introducers must work out if their introduction is 'very low risk', 'low risk' or 'medium to high risk' to human health. As part of this, they must work out if their chemical has characteristics that are hazardous to human health at step 4.4. These human health hazard characteristics are split into hazard bands – A, B and C. Hazard band C contains hazard characteristics that are of highest concern to human health, while those of lower concern are in hazard band A.

In most cases, the indicative human health risk for the introduction of a chemical with a human health hazard band C hazard characteristic will be 'medium to high'. This means that these chemical introductions are in the 'assessed' category. Introducers must apply for an assessment and be issued a certificate before they can introduce the chemical.

How would this affect introducers?

We would update [Step 4.4: Work out your human health hazard characteristics](#) of our online Categorisation Guide. When an introducer is working out if their chemical has human health hazard characteristics at step 4.4, they would need to check if their chemical is an inorganic arsenic compound, or a chemical containing beryllium, cadmium, chromium (VI), lead or nickel. If yes, their chemical would have a hazard characteristic in human health hazard band C and the indicative human health risk for the introduction would be medium to high risk.

By explicitly stating these chemicals at step 4.4 of the categorisation process under the [human health hazard band C hazard characteristics](#), it generally would not change the categorisation outcome for these chemical introductions. This is because these chemicals have established high toxicity and chemicals containing these

elements are already included on the 'List of chemicals with high hazard for categorisation', or will be added to this list, following updates.

But by making this change, it should make it easier and quicker for introducers of these chemicals to work out that their chemical has characteristics in human health hazard band C, because they would no longer need to check the 'List of chemicals with high hazard for categorisation'.

These changes would apply to introductions of chemicals occurring on, or after, the proposed amendments take effect.

Why are we proposing these changes?

Chemicals containing these elements are of high concern for human health toxicity. Adding these chemicals to human health hazard band C would:

- Provide clarity for introducers and make it easier for them to work out the chemical introduction category.
- Decrease the likelihood of introducers incorrectly, or inadvertently, categorising these introductions as exempted (very low risk) or reported (low risk).

View the proposed rules amendments

For full details see Part 8 of the [Exposure Draft](#).

Exempted introductions: annual declaration change to improve AICIS monitoring

What's being proposed?

We propose to change the annual declaration form so that businesses that imported or manufactured a chemical under the exempted category must specify which type of exempted introduction they used. This would be a quick and easy process where the introducer selects their exempted introduction type from a list as follows:

1. When an introducer submits their annual declaration in AICIS Business Services and selects 'exempted introduction', a checkbox list will appear with these options:
 - introductions where the highest indicative risk is very low risk
 - polymers of low concern
 - low-concern biological polymers
 - introductions that are only for use in research and development
 - chemicals that are comparable to listed chemicals
 - polymers that are comparable to listed polymers
 - chemicals resulting from non-functionalised surface treatment of listed chemicals
 - chemicals that are imported and subsequently exported
2. The introducer will need to click on each type of exempted introduction relevant to their importation or manufacture for that registration year.

How would this affect introducers?

The proposed change would mean that slightly more information would need to be provided by introducers in an annual declaration, but only if they used the exempted introduction category in that registration year. Only the type(s) of exempted introduction would be required – not detailed information about the specific chemicals. Introducers should already have this information as part of the records they need to keep about their introductions.

Why are we proposing these changes?

It is important for us to monitor exempted introductions to ensure that they meet the categorisation criteria for 'very low risk' to health and environment. The extra information will help us better prioritise our compliance monitoring activities.

There are currently 8 types of exempted introductions, and only 3 require a post-introduction declaration to be submitted with information about the introduction:

- introductions where the highest indicative risk is very low risk
- polymers of low concern
- low-concern biological polymers

By knowing which type of exempted introduction an introducer uses, we will be able to more easily verify whether introducers are complying with obligations to submit post-introduction declarations.

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Another reason for this proposal is that we expect a large increase in the number of exempted introductions if the proposal around manufactured soap introductions proceeds – [learn about proposed regulatory changes affecting soap makers](#)

These changes will **not** increase record-keeping requirements in the exempted category.

We previously consulted stakeholders on this matter in 2021. We are consulting on this proposal again after carefully weighing up these factors:

- the amount of effort/burden to introducers of this requirement
- benefits to the community and environment resulting from enhanced compliance monitoring

The changes would apply to annual declarations submitted on or after the proposed amendments take effect.

View the proposed rules amendments

For full details, see Part 9 of the [Exposure Draft](#).

Rules and Guidelines: minor changes to clarify information and requirements

We are proposing to make some minor changes to the Industrial Chemicals (General) Rules 2019 (the Rules) and Categorisation Guidelines. These changes are intended to clarify information and requirements for introducers. A significant impact on introducers is not expected from these proposed amendments.

Proposed General Rules changes

Particles in the nanoscale

We are proposing to change the Rules for consistency and to clarify for introducers that 'particles' in relation to nanoscale particles are 'solid'.

Example current content

...particles, in an unbound state or as an aggregate or agglomerate, any of which...

... consists of particles, in an unbound state or as an aggregate or agglomerate, where at least 50% (by number size distribution) of the particles have at least one external dimension in the nanoscale

Example proposed amendment (changes are in bold)

...**solid** particles, in an unbound state or as an aggregate or agglomerate, where any of the particles...

... consists of **solid** particles, in an unbound state or as an aggregate or agglomerate, where at least 50% (by number size distribution) of the particles have at least one external dimension in the nanoscale

For full details, see Part 11 of the [Exposure Draft](#).

Change to biological chemical definition

We are proposing to expand the definition of biological chemical in the General Rules to improve clarity for introducers. There is not expected to be a difference in the chemicals captured by the existing definition of biological chemical and the proposed revised definition.

Current definition of biological chemical

Biological chemical means an industrial chemical that is derived from, or produced by, a living or once-living organism

Proposed revised definition of biological chemical

Biological chemical means an industrial chemical that:

- a. is extracted from a living or once-living organism, without further modification; or
- b. is produced by a living or once-living organism, without further modification; or
- c. is a living or once-living organism, without further modification.

For full details, see Part 12 of the [Exposure Draft](#).

Australian environmental criteria for Persistent, Bioaccumulative and Toxic (PBT)

In [step 3.1 of the categorisation process \(Introductions of 10 kg or less in an AICIS registration year\)](#), introducers currently refer to the AICIS criteria for Persistent, Bioaccumulative and Toxic (PBT) in the [Industrial Chemicals Categorisation Guidelines](#). The chemical cannot be known to the introducer to meet the PBT criteria.

For step 3 only, we propose to replace the AICIS PBT criteria with the [Australian environmental criteria for Persistent, Bioaccumulative and/or Toxic Chemicals \(PBT\)](#). The criteria in the two information sources are very similar. In practice, this would mean that introducers would refer to the Australian environmental PBT criteria - instead of the existing AICIS PBT criteria in the Categorisation Guidelines. This may make it easier for introducers to categorise their introductions at this step.

The Australian environmental criteria for Persistent, Bioaccumulative and/or Toxic Chemicals is also proposed to be referred to in the expanded criteria for flavour and fragrance blend introductions at step 3.2 of the categorisation process.

The AICIS PBT definition in the Industrial Chemicals Categorisation Guidelines will remain and apply to those who need to work out their introduction's human health and environmental risk at steps 4 and 5 of the categorisation process.

For full details, see Part 10 of the [Exposure Draft](#).

Proposed Guidelines changes

Environment categorisation volume and human health categorisation volume

We are proposing to:

- expand the step-by-step instructions for the options in method 2 (Part 2.1.2 and Part 2.1.3 of the Guidelines)
- clarify in the equation for calculating environment categorisation volume using method 2 that total introduction volume is intended
- clarify that 'total introduction volume' refers to the total introduction volume of the industrial chemical that an introducer will import and/or manufacture in a registration year.

These proposed changes are intended to make the calculation methods clearer to introducers.

Add 'spray foam insulation' to product list

We are proposing to add 'spray foam insulation' to the list of 'adhesive and sealant products' in Part 2.1.2 of the Guidelines. This change would clarify that a release reduction factor of 0.05 could be used when working out the environment categorisation volume for the introduction of chemicals with a spray foam insulation end use.

In the Guidelines, 'Adhesive and sealant products' means an end use to fasten other materials together or stop the passage of liquid or gas. A significant role of spray foam insulation is to seal up gaps and stop unwanted air flow, so this end use aligns with the 'stop the passage of liquid or gas' part of the definition.

Other minor Guidelines changes

We are proposing to make a number of other very minor amendments to the Categorisation Guidelines, that would provide clarity to introducers and/or are editorial in nature. These are so minor that we are not consulting specifically on each change. However, introducers will be notified of all changes that will be made to the Guidelines in advance of the proposed amended Guidelines taking effect (April 2024).