

Aerosol Recycling Threatened



Many observers were caught off guard when the City of Perth announced in September that its recycling operators Cleanaway, Suez and the South Metropolitan Regional Council would no longer accept aerosols in kerb-side recycling collections, citing safety concerns.

Since then the Association has worked hard to ensure that this does not spread to other States, meeting with the Australian Packaging Covenant Organisation ('APCO') a number of times and making a formal submission to the Australasian Recycling Label's Technical Advisory Group for consideration at their October meeting.

It appear that elements of the waste industry are arguing that aerosols are causing problems by bursting and catching fire in trucks and in balers at processing facilities and should not be allowed in recycling collections, instead being collected via specialised 'drop off' facilities (as used for household hazardous waste).

The Association has pointed to the extensive safety research which preceded the acceptance of aerosols into the recycling stream internationally and which is predicated on aerosols being empty and 'diluted' by a variety of other metal packages.

This is an appropriate time to remind members that any recycling statements or logos on aerosol cans should be accompanied by a reminder to householders to ensure that aerosols are empty before placing in their recycling such as 'RECYCLE WHEN EMPTY'.

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2018 Training Program a Success

Around 40 delegates attended the Association's 2018 training programme, which comprised two one day courses, the first a one day variant of the popular 'Introduction to Aerosol Technology' Course that we have run for the past 10 years and the other our third Regulatory Workshop, which featured speakers from the National Measurement Institute and Safe Work NSW. (Unfortunately, the storm that lashed much of the east coast of Australia conspired to keep GHS expert Richard Greenwood trapped in Melbourne!) We were also fortunate to have Peter Watmough, Global Detection Products Manager from Emerson Automation Solutions in the UK present to both courses. With a 31 year history in the industry, Peter was able to share some interesting insights into leakproofness testing for aerosols.

Surveys of delegates revealed high levels of satisfaction with both events with 47% of respondents at the Regulatory Workshop, for example, giving a 'straight' 5/5 to all speakers.

The Association welcomes suggestions from members on issues or subjects that they would like future training events to address.

New President for Association



The Aerosol Association of Australia, has announced the appointment of David Gurr, Supply Chain Manager for Pax Australia, as President of the Association.

David joined the Association's Executive Committee in 2012 and has previously served in a number of roles, including as Treasurer and as Convener of the Organising Committee for the successful 'aerosol2017' event. He most recently served as Vice President of the Association.

David has a Bachelor of Economics from Sydney University and has worked in the aerosol industry for 15 years. He has been involved in the FMCG industry in various Supply Chain roles for over 30 years.

INTERNATIONAL NEWS

Presentations to FEA Global Event Online

Copies of the presentations to the FEA Global Aerosol Event in October are available to download for free on the event website at <https://www.feaglobalevents.org/speakers/>.

[The presentations from Benjamin Punchard of Mintel and Mylan Nguyen of Euromonitor are especially interesting.]



New Aerosol Magazine Launched

A new UK-based bi-monthly magazine for the industry, 'World Aerosols', was launched in September.

For more information, including regular industry news and the chance to get a free 6 month subscription see <https://worldaerosols.com>.

Aerosols Excluded from New LQ Provisions in Latest Edition of ADG Code

In late June, the National Transport Commission released edition 7.6 of the ADG Code, advising that it was available for use from 1 July and – subject to its adoption by the States – would become compulsory from 1 July 2019.

This new edition introduced two new clauses into the Limited Quantities or 'LQ' Chapter, the first of which (3.4.11) provides very generous exemptions for mixed packs including up to 50% household cleansers; and a second one (3.4.12) aimed at personal care products which exempts them from most provisions of the Code.

While the text released in June excluded aerosols from clause 3.4.11, in late September the NTC advised that the text released in June contained a serious error and

did not reflect the resolve of the State Competent Authorities that aerosols be excluded from BOTH of these new clauses, including the one for personal care products (3.4.12).

Consequently, a new corrected copy of the text which reflected this exclusion (and also featured a more readable format of the text) was released on their website.

The full text of the (corrected) Code along with copies of the DG Class Labels etc can be accessed on the NTC website at <https://www.ntc.gov.au/heavy-vehicles/safety/australian-dangerous-goods-code/>.

Please do not hesitate to contact the Association office if you have any queries about this issue.

Slow Track Towards Updated GHS Text

Recent dialogue with Safe Work Australia suggests that adoption of more recent GHS texts is coming, but not quickly.

The current Safe Work Australia model is based on the 3rd edition of the GHS*, whilst the latest edition published by the UN is edition 7 with new editions published every 2 years and the 8th edition due out in mid-2019.

**Victoria allows use of the 3rd, 5th or 6th revised editions and WA allows use of the 3rd, 4th, 5th or 6th revised editions.*

Whilst it appears that Australia will move to adopt GHS edition 7, it's not going to happen quickly with a formal Regulatory Impact Statement (RIS) targeted to come out by September/October 2019 and a final document hopefully before Ministers for approval in the last quarter of 2020.

New Zealand EPA to Reassess 11 Synthetic Pyrethroids

On 12 October, the New Zealand EPA was granted approval to reassess 11 synthetic pyrethroids and the hazardous substances that contain them.

Nine of the synthetic pyrethroids which they are seeking information for are listed on the priority chemical list (PCL), a list of about 40 chemicals that the EPA believe are most in need of review, and have been grouped based on the outcome of a screening programme involving

around 700 substances to date.

The 11 synthetic pyrethroid insecticides which the EPA are seeking information on include a number used in aerosol applications.

For more information see <https://www.epa.govt.nz/public-consultations/open-consultations/call-for-information-on-synthetic-pyrethroids/>.

Consultation on Regulation of Disinfectants, New TGO54 Now Open

As part of the TGA's regulatory reform agenda, hard-surface disinfectants have been downregulated by the Therapeutic Goods Legislation Amendment (2018 Measures No. 3) 2018 which means that: 'Registered' products with specific claims have been downregulated to 'listed' with pre-market review of new ingredients or new specific claims and 'Listed' products have been made exempt.

Sponsors must continue to meet the requirements of TGO 54 regardless of the downregulation; but TGO 54 will sunset on 1 April 2019.

In mid-December the TGA commenced the consultation with stakeholders on the preparation of an updated Therapeutic Goods Order to replace TGO 54, including a draft TGO along with updated guidance materials.

For background on the consultation, and the draft TGO and guidance documents see

<https://www.tga.gov.au/consultation/consultation-review-therapeutic-goods-order-54-standards-disinfectants-and-associated-guidance> .

Submissions should be made by **close of business Tuesday 12 February 2019**.

New TGA Excluded Goods Determination Replaces the Cosmetics Standard

The Cosmetics Standard ceased to exist on 1 October 2018 and products that were covered by the Cosmetics Standard are now covered by the new TGA determination with the same requirements applying.

Please refer to this new TGA determination using the below links to understand your obligations around cosmetic ingredients and cosmetic products:

<https://www.tga.gov.au/therapeutic-goods-excluded-goods-determination-2018-explanatory-notes>

<https://www.legislation.gov.au/Details/F2018L01350>

NICNAS will continue to regulate the manufacture and importation of cosmetic ingredients since cosmetic ingredients are regulated as industrial chemicals. You can read more about this at

<https://www.nicnas.gov.au/cosmetics-and-soaps/cosmetics-and-therapeutic-goods> .

Topical Antiperspirants No Longer Therapeutic Goods

One important change is that topical antiperspirants* are no longer considered therapeutic goods (i.e. they are now excluded from the therapeutic goods regulatory framework.)

**These are antiperspirants that derive their antiperspirant properties from inorganic salts of aluminium, zinc or zirconium only.*

This means that the chemicals in these products are now subject to obligations under the Industrial Chemicals (Notification and Assessment) Act.

If you are importing or manufacturing topical antiperspirants you will need to identify their chemical ingredients; check the NICNAS Inventory before you import or manufacture; advise NICNAS if your chemical is not on the Inventory; and ensure you include the value of relevant industrial chemicals in these goods in the total introduction value for registration purposes (this will apply for the 2019/20 registration year onwards).

AS2278 Under Review by Standards Australia

Standards Australia has advised that it is reviewing AS2278.1 -2008 'Aerosol containers - Metal aerosol dispensers of capacity 50 mL to 1000 mL inclusive', given that the Standard is now 10 years old and the Technical Committee which produced it has been largely inactive for some considerable time.

Options up for consideration include the withdrawal of the Standard, its reconfirmation as currently written and its revision.

The Association is currently in dialogue with a number of other industry stakeholders on the issue and plans to seek the revision of the Standard to reflect recent changes to the EU Aerosol Dispensers Directive on which it is based, including provision for a higher maximum pressure of 15 bar in aerosols propelled by non-flammable compressed gases. [Any move to seek the development of a Standard for non-metal (plastic) aerosols would likely need to be the subject of a separate process, likely resulting in a "AS2278.2" document.]

The Standard is currently referenced in the Australian Dangerous Goods Code and in New Zealand's Health and Safety at Work (Hazardous Substances) Regulations 2017.

Measurement Marking Reform Stalls

Moves to relax the prescription around placement of the measurement mark on pre-packaged goods appears to have stalled with news that any consideration of such changes will now be tackled as part of the wide-ranging Review of Australia's Measurement Law.

With the Review expected to take around four to five years to complete, it is obvious that any changes will not be occurring anytime soon.

Prior to the announcement from the Minister, it appeared that officials were close to agreeing on relaxation of the current requirement for the measurement mark to be on front of pack for non-food items, a move designed to placate cosmetic importers who are faced with 'over-stickering' products from the EU in particular.

Aerosols in the News *[click for story]*

Aerosols blamed for Sapporo explosion

TGA updates advice on sunscreens, tells users to use more with aerosols

TGA findings on sunscreens criticises labelling on many aerosols

Aerosols recalled



The Association offices will close on Friday 21 December for the Christmas break and re-open on Tuesday 8 January. We wish all members a safe and enjoyable holiday break and thank you for your support throughout 2018!