



By email: [PFAS.sen@aph.gov.au](mailto:PFAS.sen@aph.gov.au)

**Senate Select Committee on PFAS  
Information on the Australian Industrial Chemicals Introduction Scheme**

I refer to your E-mail correspondence of 25 October 2024, requesting briefing material to assist the Senate Select Committee on PFAS at the Hearing. Please find:

- The link to the Industrial Chemicals Act 2019 (enabling legislation)  
<https://www.industrialchemicals.gov.au/about-us/industrial-chemicals-law-australia#the-act>
- Summary briefing material at [Attachment 1](#).

I trust this information will be of assistance to the committee.

Yours sincerely,

*Authorised for electronic transmission*

Graeme Barden  
Executive Director  
Australian Industrial Chemicals Introduction Scheme

6 November 2024

## Attachment 1

### **Introduction**

In Australia, chemicals are regulated under both state/territory and national laws. At the national (Commonwealth) level, chemicals are regulated according to their use.

Industrial chemicals are chemicals with an industrial use, such as chemicals in inks, paints, adhesives, solvents, cosmetics and personal care products or cleaning products. The regulatory responsibility for industrial chemicals in Australia (including PFAS chemicals) is shared across Commonwealth, states and territory authorities at each stage of an industrial chemical's 'lifecycle'.

The Australian Industrial Chemicals Introduction Scheme's (AICIS) regulatory powers apply at the point of introduction of an industrial chemical into Australia (through import and manufacture). Other Commonwealth, state and territory risk managers regulate the use, release and disposal of industrial chemicals through sector specific legislation for the protection of human health and the environment.

Together, these regulatory agencies form the overall regulatory framework for industrial chemicals, which operates in a complementary manner to protect Australians and their environment.

#### *The Australian Industrial Chemicals Introduction Scheme (AICIS)*

AICIS is a Commonwealth scheme established under the *Industrial Chemicals Act 2019* (IC Act). AICIS is led by the Executive Director, who is an independent statutory office holder appointed by the Governor-General with specific powers and functions under the IC Act. The Executive Director is assisted by staff in the Australian Government Department of Health and Aged Care, and scientific staff from the Department of Climate Change, Energy, the Environment and Water (DCCEEW) who assess the environmental risks of industrial chemicals on behalf of AICIS. AICIS replaced the National Industrial Chemicals Notification and Assessment Scheme (NICNAS) on 1 July 2020.

AICIS is predominantly a risk assessment agency. Information from AICIS risk assessments is available for use by the community, the chemical industry and by state, territory and other Commonwealth regulatory agencies. AICIS makes recommendations to the relevant risk management agencies, where a risk assessment identifies risk(s) that require mitigation (that is, risk management controls) to protect human health or the environment.

AICIS is only a risk manager of last resort. AICIS can take regulatory action where risk managers advise AICIS that their sector specific risk management frameworks cannot manage the risks identified through AICIS risk assessment.

Anyone seeking to import or export industrial chemicals (including PFAS) listed in the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention) must apply and receive authorisation from AICIS.

## Attachment 1

### *Regulatory powers outside of AICIS remit*

AICIS regulates **individual industrial chemicals**, but **not products**, that is, mixtures of industrial chemicals. In general, AICIS does **not** regulate articles (finished goods produced for a particular purpose, such as an empty glass bottle, a plastic pipe, or a piece of fibre board).

The IC Act does not include powers to ban or phase out industrial chemicals.

AICIS has no authority to oversight risk managers. How risk managers use information provided to them by AICIS is at their discretion, within their respective statutes. This means AICIS does not have an opinion about the appropriateness or otherwise of safety standards or other risk management controls set by risk management agencies.

### *Australian Inventory of Industrial Chemicals (Inventory)*

When NICNAS commenced in 1990, industrial chemicals with a history of use in Australia were listed on the Inventory without assessment (“grand-parented” industrial chemicals). Since that time, industrial chemicals assessed under the scheme are added to the inventory. Industrial chemicals listed on the inventory can be introduced into Australia without a further AICIS risk assessment. The Inventory currently lists approximately 40,000 industrial chemicals.

PFAS is not a single chemical. PFAS describes a group of chemicals that contain fluorinated carbon chains of varying lengths. A public database from the US Environmental Protection Agency (EPA) reports almost 15,000 synthetic PFAS chemicals (see [CompTox Chemicals Dashboard](#)). The most recent estimate from the Organisation for Economic Co-operation and Development (OECD) reported that a subset of approximately 4,730 PFAS chemicals may have been used commercially.

Currently, the Inventory lists 522 PFAS chemicals, of which 423 have been assessed to date. Chemicals are chosen for assessment using a prioritisation framework that is based on the risk posed by the chemical. This framework continues to be applied to the remaining unassessed chemicals on the inventory (both PFAS and non-PFAS chemicals).