



australian nursing federation

Proposed Regulatory Activities on Phthalates by the National Industrial Chemicals Notification and Assessment Scheme (NICNAS) and Section 48 - Call for Information

The Australian Nursing Federation (ANF) welcomes the opportunity to comment on this very important strategy. I apologise for the delay in our response.

The ANF is of the view that there is some urgency in proceeding with this project. We are most concerned that the Australian Government has not yet taken any comprehensive risk management or regulatory action in relation to the known risks to consumers and users from some of the phthalate group of chemicals. This is particularly worrying in relation to diethylhexyl phthalate (DEHP) which is so prevalent in common plastics such as PVC used in such a wide range of applications including medical devices. Our research indicates that information relating to significant concerns about the use of DEHP has been available since at least 2001.

I note that the US Food and Drug Administration Centre for Devices and Radiological Health issued a Public Health Notification on 12 July 2002 and the Health Canada Panel issued a public health warning on 24 January 2002 regarding any device containing DEHP. We have been unable to locate the equivalent warning in any Australian jurisdiction.

The health system exposes people to many occupational health and safety risks due to the complex technology, devices and substances that are used on a day to day basis in prevention, diagnosis, treatment and care. With an increasing focus on evidence based health care and occupational health and safety, the system is obliged to respond when an identified risk in routine procedures is identified. For example the prevalence of people having severe allergic responses to latex have required that health services are much more cautious about using latex based products. These products had been widely used in the past in as protective gloves and therapeutic goods, but as the evidence became more and more unequivocal, health services have had to find alternative products and provide people with clear warnings about the risks.

An interim warning based upon the international evidence already available may be a prudent step to alert the health industry and the community at large in the first instance while the Therapeutic Goods Administration (TGA) conducts its own research and develops an appropriate regulatory response to protect the community: be they patients in the health system; workers in the health industry; workers in other industries exposed to such chemicals; or other users of products containing these chemicals. The Australian Government is vulnerable to severe criticism, censure and perhaps liability if it is not seen to act on information pertaining to the exposure of its constituents to known harm caused by product or environmental factors in a suitable and timely manner.

Discussions with the manufacturers and retailers of products used in the health system containing phthalates should also be occurring to give due notice of the concerns and possible impact on them. We do not want Australia or countries without the development infrastructure protect their citizens to become the dumping grounds for products now embargoed in Europe, the United States and Canada.

The ANF reiterates its position that a warning should be issued immediately and that the work outlined in the proposal is undertaken without delay. We will follow progress with interest.