

**Application for a Chemical to be Listed/Re-listed
in the Confidential Section of the Australian
Inventory of Chemical Substances (AICS)**



Australian Government
Department of Health and Ageing
NICNAS

FORM AICS-1

Applicants should use this application form to list or re-list a chemical in the confidential section of the AICS pursuant to section 14(3) or to section 19 of the *Industrial Chemicals (Notification and Assessment) Act 1989*.

If space is insufficient for any item, complete and sign an attachment.

Fees required for application: \$1,176 for listing \$1,588 for re-listing

Please make cheques payable to NICNAS.

Please complete form and return to:

Director NICNAS
GPO Box 58, Sydney NSW 2001
Telephone (02) 8577 8800 Fax (02) 8577 8888

APPLICANT DETAILS

Business Name		ABN
Business Address		Postcode
Postal Address (<i>if same as Business Address, state AS ABOVE</i>)		Postcode
Phone ()	Fax ()	Email
Technical Contact		
Name	Position	Company
Business Address (<i>if different to above</i>)		Postcode
Postal Address (<i>if same as Business Address, state AS ABOVE</i>)		Postcode
Phone ()	Fax ()	Email
Chemical Name		
CAS Number (<i>if known</i>)	-	-

DECLARATION I declare that to the best of my knowledge all the information in this application is true, correct and complete. In relation to the notification statement and/or other documentation accompanying this application. I declare that I am entitled to use and give the Director all data in the statement.	
Name	Signature
Position	Date

Is your company a small business with less than 20 employees?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
If yes, please provide an estimate of the time taken to complete this form:				
	hrs		mins	

INFORMATION FOR APPLICANTS

- The information provided on this form will assist the Director in making the decision whether to list/ re-list the chemical on the confidential section of AICS.

In accordance with the Act, if the Director is satisfied that:

- (a) the publication of some or all of the chemical's particulars could reasonably be expected to prejudice substantially the commercial interests of the applicant; and
- (b) the prejudice outweighs the public interest in the publication of those particulars;

the Director must include the chemical in the confidential section.

- Please refer to the NICNAS *Guidelines for Establishing a Case for Confidential Listing of Chemicals on the Australian Inventory of Chemical Substances, January 2005* <http://www.nicnas.gov.au/obligations/pdf/AICS-Guidelines2005.pdf> to assist you in completing this form.
- Applicants should note that the non-confidential listing on AICS is the precautionary default and a case for confidential listing has to be made.
- Applicants must address each item below and provide all relevant and available information. The Director makes a decision based on the information provided in this form.
- Information should be thorough, complete and accurate. Include all relevant information gained during use of the chemical.
- Clearly indicate in the response if relevant information is not available.
- Provide copies of any new toxicity and ecotoxicity studies and new reports on health and environmental impacts of the chemical that NICNAS did not assess in the original NICNAS Assessment Report.
- Where the allocated space is insufficient, please attach additional material and sign.
- Provide a copy(s) of:
 - patents on the chemical and/or its use.
 - the Material Safety Data Sheet for the chemical
 - any brochures or product data sheets that inform the public about the chemical or products containing it.
- You do **not** need to provide a copy of the NICNAS Assessment Report with this application.
- You do **not** need to provide studies originally assessed by NICNAS in the NICNAS Assessment Report.

Applicants are to provide the following information; all sections to be completed

SECTION 1. CHEMICAL IDENTITY

Chemical Name:	
CAS Number:	- -
Other names:	
Current marketing names:	
Molecular formula:	
Molecular weight:	
NICNAS Assessment Report No:	

SECTION 2. HAZARD and USE

Hazard	Nature of the chemical:	Yes/No	Provide Classification
	A dangerous good (Australian Code for the Transport of Dangerous Goods by Road and Rail (ADG Code)		
	A hazardous substance under 2003 NOHSC Approved Criteria for Classifying Hazardous Substances		
	Labelled with EU environment risk phases		
Function and Use			
Is the chemical or products containing it available to the public?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
What volume of chemical is to be introduced (import or manufacture) annually over the next 5 years?			

SECTION 3. COMMERCIAL INTEREST (refer to Section 3.2.1 of the Guidelines document)

1. Has the chemical substance been publicly identified in the chemical inventory of another country? If so, in which country(ies)?

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2. Has the chemical substance already been granted confidential status in a chemical inventory of another country? If so, on what basis and in what countries.

3. Has confidential listing in another country been sought and denied? If so provide reasons for denial?

4. Describe measures taken to protect the information on identity, manufacture or importation of the chemical substance.

5. How feasible is it for competitors to obtain a sample and to identify, duplicate and market the chemical substance?

6. Has the chemical substance been identified by other than trade or generic names in journals, books or other public sources (e.g. registers, public files or government agencies)? If so, please provide details.

7. Has the chemical substance and/or its use been patented? If so, please describe how specific the disclosure in the patent is and provide a copy of the patent(s)?

8. In view of the above responses describe the way in which disclosure of the chemical identity on the non-confidential AICS will lead to commercial loss for your business and quantify the loss if possible?

SECTION 4. PUBLIC INTEREST

(refer to Section 3.2.2 of the Guidelines document)

9. Describe the beneficial impacts flowing from the use of this chemical.

10. NICNAS has assessed the chemical and seeks to ascertain if the original NICNAS risk assessment is still relevant to the chemical in Australia. If no new information is available since NICNAS assessed the chemical, state “no new information”.

10. (a) Has the amount of the chemical being introduced increased, or is it likely to increase, significantly?

10. (b) Has the use of the chemical changed, or is it likely to change, significantly? If so, provide updated information on exposure to the chemical substance in manufacture, use, transport and disposal.

Consider occupational, public and environmental exposure and include:

- any estimation of human exposure relevant to the exposure pattern;
 - any Predicted Environmental Concentration (PEC)
- description of control measures in place, such as training programs, engineering controls, chemical packaging or other technology designed to reduce exposure to workers, including contract workers, the public and the environment.

10. (c) In the case of a chemical not manufactured, or proposed to be manufactured, in Australia at the time of the assessment, has it begun to be manufactured in Australia?

10. (d) Has the method of manufacture of the chemical in Australia changed in a way that may result in an increased risk of adverse health effects or adverse environmental effects?

10. (e) Has new health or environmental information become available? Provide any new reports on human health and environment effects.

11. What mechanisms are in place to ensure that you receive information on adverse incident reports to employers in your own workplace and workplaces down the supply chain handling the chemical?

12. Do you have the means (or access to the means) to track potential contamination of the environment, or humans, with the chemical substance, metabolites and/or degradation products? Describe the type of information, procedures or methods you can access. Experimental details of analytical methods do not need to be provided.

13. Substantiate how environment, public and workers health and safety would not be compromised by the inclusion of the chemical on the confidential section of AICS.

14. What are the by-products or wastes from manufacture, formulation or use? Has there been any monitoring of chemical release? If so, provide details and describe circumstances where release levels have exceeded regulatory standards or licenses.

15. What do you know of the potential of the chemical, and its degradation products, by-products or wastes, to cause adverse effects (directly or synergistically) on human health and/or the environment in the short or long term? Has there been any monitoring of adverse effects in humans or the environment? If so, provide details.

16. Is the material safety data sheet provided to the public upon request? If not, explain why this information is not provided upon request. Provide a material safety data sheet for the chemical substance.

17. Describe the type of information available to the public (in Australia) on the chemical, for example product sheets and brochures for the chemical and its products or on the operations of the chemical industry sites that handle the chemical substance, for example the existence of community consultation groups, open days and websites.

18. Explain any circumstances in which disclosure of chemical identity is required under other Australian Commonwealth State or Territory legislation?

19. Are public data, including data from other countries, available concerning the properties, fate or effects of the chemical substance? Describe what type of data are available and in which countries.

IF YOU WISH TO DO SO, PLEASE PROVIDE ANY OTHER INFORMATION IN SUPPORT OF YOUR APPLICATION AS AN ATTACHMENT.