



19 April 2024

(24-3265)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>AUSTRALIA</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Department of Climate Change, Energy, the Environment and Water (DCCEEW) Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Australian WTO TBT Enquiry Point Office of Global Trade Negotiations Department of Foreign Affairs and Trade Canberra ACT 0221 Australia tbt.enquiry@dfat.gov.au +61 2 6261 1111
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): The following chemicals, and chemical mixtures or articles (finished goods) containing the following chemicals, when used for an industrial purpose (excluding agricultural, veterinary or therapeutic purposes): <ul style="list-style-type: none">• Dechlorane Plus® and its two constituent isomers, syn-Dechlorane Plus and anti-Dechlorane Plus (DP®, syn DP and anti-DP)• Phenol, 2-(2H-benzotriazol-2-yl)-4,6-bis(1,1-dimethylpropyl)-(UV-328)
5. Title, number of pages and language(s) of the notified document: Proposed chemical management standards for Persistent Organic Pollutants; (15 page(s), in English)
6. Description of content: The Industrial Chemicals Environmental Management Standard (IChEMS) has been developed by all Australian governments to efficiently and effectively manage the risks of industrial chemicals to the environment while providing consistent requirements for businesses across Australia. The IChEMS Register records standards for the environmental management of chemicals, including risk management measures for specific industrial uses. In turn, the Australian federal government and each Australian state and territory government will enact legislation to implement the standards in their jurisdictions. The proposed decisions will assign the following chemicals, and mixtures and articles containing the chemicals to Schedule 6 of the IChEMS Register. This will prohibit their import, manufacture, use and export in Australia, with limited exceptions for unintentional

trace contamination, research, environmentally sound disposal, and for articles in use prior to the date of effect of the decision.

Some uses considered to be essential are also excepted from the decisions. These essential uses are outlined below.

- Dechlorane Plus® and its two constituent isomers, syn-Dechlorane Plus and anti-Dechlorane Plus (DP®, syn DP and anti-DP), except when used for the following essential uses:
 - aerospace and space applications (until 1 July - 2031); or
 - defence applications (to be reviewed by the department after 1 July 2031); or
 - replacement parts, where the chemical was originally used in the manufacture of those parts, for:
 - aerospace and space applications (until the end of the service life of the articles or 1 July 2044, whichever comes earlier); or
 - defence applications (until the end of the service life of the articles, subject to review by the department after 1 July 2044); or
 - motor vehicles (until the end of the service life of the articles or 1 July 2044, whichever comes earlier); or
 - stationary industrial machines for use in agriculture, forestry and construction (until the end of the service life of the articles or 1 July 2044, whichever comes earlier); or
 - marine, garden, forestry and outdoor power equipment (until the end of the service life of the articles or 1 July 2044, whichever comes earlier); or
 - in-vitro diagnostic devices (until the end of the service life of the articles, subject to review by the department after 1 July 2041); or
 - instruments for analysis, measurements, control, monitoring, testing, production and inspection (until the end of the service life of the articles or 1 July 2044, whichever comes earlier).
- Phenol,2-(2H-benzotriazol-2-yl)-4,6-bis(1,1-dimethylpropyl)- (UV-328), except when used for the following essential uses:
 - motor vehicles (until 1 July 2031); or
 - industrial coating applications for automotive coating, engineering machine coating, rail transit coating, and heavy-duty coating for large steel structures (until 1 July 2031); or
 - tri-acetyl cellulose (TAC) film in polarisers (until 1 July 2031); or
 - photographic paper (until 1 July 2031); or
 - replacement parts, where the chemical was originally used in the manufacture of those parts, for:
 - motor vehicles (until the end of the service life of the articles or 1 July 2044, whichever comes earlier); or
 - stationary industrial machines for use in agriculture, forestry and construction (until 1 July 2044); or
 - liquid crystal displays in in-vitro diagnostic devices (to be reviewed by the department after 1 July 2041); or
 - liquid crystal displays in instruments for analysis, measurements, control, monitoring, testing, production and inspection (until 1 July 2044).

7.	Objective and rationale, including the nature of urgent problems where applicable: The proposed scheduling decisions aim to: <ul style="list-style-type: none"> • Enact standards for Stockholm Convention listed persistent organic pollutants (POPs) that have industrial uses and which Australia has not yet ratified. • Facilitate ratification of the Stockholm Convention listings of the chemicals, allowing Australia to fulfil its obligations under the Convention. • Achieve better protection of the environment through improved management of the environmental risks posed by industrial chemicals. • Provide a nationally consistent, transparent, predictable and streamlines approach to environmental risk management of industrial chemicals for governments, industry and the community.
8.	Relevant documents: <ul style="list-style-type: none"> • Decision for consultation – Dechlorane Plus [DOCX 2.70MB] [PDF 235KB] • Decision for consultation – UV-328 [DOCX 2.7MB] [PDF 236KB] • Further supporting documents are available at: Consultation hub Public comments on IChEMS proposed decisions - Climate Change (dcceew.gov.au) https://consult.dcceew.gov.au/ichems-s17-proposed-decisions
9.	Proposed date of adoption: By 30 June 2024 Proposed date of entry into force: 1 July 2026
10.	Final date for comments: 60 days from notification
11.	Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body: <ul style="list-style-type: none"> • Consultation hub Public comments on IChEMS proposed decisions - Climate Change https://consult.dcceew.gov.au/ichems-s17-proposed-decisions (dcceew.gov.au) • Further information on IChEMS is available at: Industrial Chemicals Environmental Management Standard – IChEMS – DCCEEW: https://www.dcceew.gov.au/environment/protection/chemicals-management/national-standard