

Select Committee on PFAS (per and polyfluoroalkyl substances)

Answers to questions on notice

Climate Change, Energy, the Environment and Water Portfolio

Inquiry: Select Committee on PFAS (per and polyfluoroalkyl substances)
Question No: IQ25-000016
Hearing Date: 05 September 2025
Division/Agency: Circular Economy Division (CED) G4
Topic: Stockholm convention - ratification process
Hansard Page: 13
Question Date: 05 September 2025
Question Type: Spoken

Senator Whish-Wilson asked:

Senator WHISH-WILSON: I just want to firstly follow up a question from a previous hearing we had. It's probably to DCCEEW. It's about the Stockholm convention. The last information we got was that DCCEEW strongly supports the listing of PFAS and is working towards ratification in, I suppose, the domestic treaty. Could you give us an update on that, please.

Ms Burgess: We are continuing to work with our colleagues in the Department of Foreign Affairs and Trade. We're also continuing to understand how our existing regulations—the Industrial Chemicals Environmental Management (Register) Act—provide us with the necessary requirements to progress with that ratification, as well as consultation and engagement with the Office of International Law. So we are progressing on that.

Senator WHISH-WILSON: How long have you been progressing this?

Ms Burgess: We have been doing so for some time.

Senator WHISH-WILSON: When did you begin this process?

Ms Burgess: I would have to confirm the exact date to give you, which I'm happy to do, but it would be fair to say it was certainly in the last 12 months. It's probably important to note that, in order to ratify listings under the Stockholm convention, we must have the appropriate regulatory frameworks in place. The IChEMS national standards are the first part of that framework.

Answer:

The Department of Climate Change, Energy, the Environment and Water has been working since July 2024 towards ratifying all chemicals listed under the Stockholm Convention up to 2023. The department:

- has obtained an assessment of potential regulatory impact by the Office of Impact Analysis.
- has worked with relevant Commonwealth agencies to evaluate legislative pathways to implement these listings.
- is preparing a submission for consideration by the Parliamentary Joint Standing Committee on Treaties.

Select Committee on PFAS (per and polyfluoroalkyl substances)
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Inquiry: Select Committee on PFAS (per and polyfluoroalkyl substances)
Question No: IQ25-000017
Hearing Date: 05 September 2025
Division/Agency: Circular Economy Division (CED) G4
Topic: IChEMS - Industry advice on PFAS in packaging
Hansard Page: 16
Question Date: 05 September 2025
Question Type: Spoken

Senator Whish-Wilson asked:

Senator WHISH-WILSON: I put this question directly to APCO in a previous inquiry, and it comes back to my question earlier about how much information the industry is sharing with government and regulators. Could you say now, given this has obviously been an issue of public importance for many years, that the department doesn't know, or hasn't got that information at its fingertips from industry, as to the types of PFAS we're seeing in common household packaging?

Ms Burgess: There is some information at the department's fingertips. Would we always like to see more? Of course. But, as I'm sure you're aware, identifying every PFAS in every piece of packaging in an affordable way, on mass scale, has its own challenges.

Senator WHISH-WILSON: I understand it would be a challenge for you and the department to do that, but is the industry required to have standards to address this and to monitor this themselves and provide that information transparently to the department or, more broadly, to consumers?

Ms Burgess: Under the IChEMS legislation, yes, there are requirements to provide that information. As to the specific requirements under the current packaging legislation, I'm afraid that's not my area of expertise and I would have to take that on notice.

Senator WHISH-WILSON: That's okay. I'm not aware of any packaging legislation, but I'd love to see some—just quietly. In terms of the IChEMS side of your response, can you provide on notice what you've been provided from the packaging industry in relation to PFAS, please.

Ms Burgess: We can take that on notice.

Senator WHISH-WILSON: Yes, take that on notice, because I'd be very interested to see exactly what kind of information you're getting out of AFCO or other packaging businesses.

Answer:

In 2023, APCO provided the department with a summary of data that APCO received from companies who voluntarily reported under the Action Plan. This data is included in APCO's submission to the Select Committee (see submission 67).

The Department of Climate Change, Energy, the Environment and Water has not, to date, received any information on PFAS in packaging from the packaging industry through the Industrial Chemicals Environmental Management Standard (IChEMS).

All chemicals scheduled on the IChEMS must be managed in line with the IChEMS Minimum Standards (www.dcceew.gov.au/environment/protection/chemicals-management/national-standard/ichems-minimum-standards).

- This includes requirements for businesses to obtain and share information on environmental risks with their suppliers and buyers ensuring activities involving scheduled chemicals are undertaken in an environmentally safe manner.

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Climate Change, Energy, the Environment and Water Portfolio

Inquiry: Select Committee on PFAS (per and polyfluoroalkyl substances)
Question No: IQ25-000018
Hearing Date: 05 September 2025
Division/Agency: Circular Economy Division (CED) G4
Topic: APCO - PFAS packaging reform
Hansard Page: 24
Question Date: 05 September 2025
Question Type: Spoken

Senator Whish-Wilson asked:

Senator WHISH-WILSON: It also then mentions including building on the industry led action plan launched by APCO in 2022 to phase out PFAS in fibre based food content packaging by the end of 2023. Are you able to update us on APCO's efforts? Were they able to provide a plan to you about phasing out PFAS in any food content packaging by the end of 2023?

Mr Tregurtha: That's a level of detail that I unfortunately can't give you a specific answer on today. I'll have to take that one on notice. I'm sorry.

Senator WHISH-WILSON: Are you familiar with that work by APCO?

Mr Tregurtha: I'm aware of the commitment that APCO would be doing that work. I'm not familiar with the work myself.

Senator WHISH-WILSON: Ms Burgess would surely be familiar with that, given that this is her area. Could she comment?

Ms Burgess: Not to the level of detail you're asking.

Senator WHISH-WILSON: I'm just asking you whether you received anything from APCO in 2023.

Ms Burgess: I would have to go back and check.

Senator WHISH-WILSON: APCO had an industry led plan that was launched in 2022—this is in your own submission—to phase out PFAS in fibre based food content packaging by the end of 2023. That's in your submission. It's an important point, and you're not even aware if that occurred?

Mr Tregurtha: We've offered to take it on notice. We don't have the relevant people. What you're talking about now is the relationship the department has with APCO, which is in our packaging and plastics area, not the chemicals area, and is the area that incorporates PFAS, which Ms Burgess is responsible for. I've offered to take it on notice. I'm very happy to do that, and we'll come back to you as soon as we can.

Senator WHISH-WILSON: Thank you. I'm asking the question in the context of you saying the reform of packaging regulations, which includes looking at PFAS or taking out PFAS, will build on industry efforts to phase out PFAS from packaging. I'm sceptical as to what these industry efforts are, so I'd be very interested in your response.

Answer:

In 2022, the Australian Packaging Covenant Organisation (APCO) released an Action Plan to support businesses to voluntarily phase out intentionally added PFAS in fibre-based food contact packaging by the end of 2023.

In 2023, APCO provided the Department of Climate Change, Energy, the Environment and Water with a summary of data that APCO received from companies who voluntarily reported under the Action Plan. This data is included in APCO's submission to the Select Committee (see submission 67).

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Inquiry: Select Committee on PFAS (per and polyfluoroalkyl substances)
Question No: IQ25-000019
Hearing Date: 05 September 2025
Division/Agency: Circular Economy Division (CED) G4
Topic: Group ban of PFAS chemicals
Question Date: 08 September 2025
Question Type: Written

Senator Thorpe asked:

1. In relation to the EU's approach to impose the group ban of around 14,000 chemicals, can you please clarify what steps would be required for a group ban like this, of all PFAS chemicals, to take effect here?

Answer:

The *Industrial Chemicals Environmental Management (Register) Act 2021* (ICEMR Act) permits standards to be made for groups of chemicals. Wherever appropriate, substances are scheduled in groups based on structural, behavioural and functional similarities.

When making a standard, the Minister must comply with the *Industrial Chemicals Environmental Management (Register) Principles 2022* (the principles) (www.legislation.gov.au/F2022L01436/latest/text). The principles set out the risk characteristics for each schedule based on similar structural, behavioural and functional features.

PFAS are a diverse group of chemicals that exhibit a range of structural, behavioural and functional properties. This means that their risk characteristics vary.

From an environmental risk management perspective, not all PFAS would meet the requirements for listing in Schedule 7, which would prohibit their import, export, manufacture, or use.

For example, the PFAS perfluorobutanesulfonic acid (PFBS), is commonly used for its water and oil repellent properties in cleaning products, waxes, polishes and surface coatings.

The Commonwealth Risk Assessment for PFBS (www.industrialchemicals.gov.au/sites/default/files/Perfluorobutanesulfonic%20acid%20and%20its%20direct%20precursors%20Environment%20tier%20II%20assessment.pdf) concluded that it was persistent in the environment, not bioaccumulative and not toxic under the Australian Environmental Criteria for Persistent, Bioaccumulative, and/or Toxic Chemicals (www.dcceew.gov.au/environment/protection/chemicals-management/national-standard/australian-pbt-criteria). This means that under the principles, PFBS would be a schedule 4 or 5 chemical and that activities relating to PFBS would not be prohibited.