

05 February 2021

Advisory Committee on Chemicals Scheduling (ACCS)
Therapeutic Goods Administration
PO Box 100
WODEN ACT 2606

By email: chemicals.scheduling@health.gov.au

Dear Advisory Committee on Chemicals Scheduling (ACCS),

Australian Society of Anaesthetists (ASA) - Proposed amendments to the Poisons Standard

The Australian Society of Anaesthetists (ASA) was established in 1934 and is the peak body representing the professional interests of specialist anaesthetists. Its mission is to support, represent and educate Australian anaesthetists, in order to assist them to provide best possible patient care.

The ASA welcomes the opportunity to make this submission regarding the application to create a new Schedule 10 entry for nitrous oxide for non-therapeutic purposes. In October 2019, the ASA contributed feedback to part support legislation to impose intense restrictions on the sale and supply of nitrous oxide gas (**Attachment A**).

Recommendations

The ASA supports the application to create a new Schedule 10 entry for nitrous oxide for non-therapeutic purposes.

Schedule 10 – New Entry

NITROUS OXIDE except:

- a) when included in Schedule 4; or
- b) supplied in containers greater than 50 cm³; or
- c) supplied in a gaseous preparation alone in 10g or greater quantity.

Schedule 4

NITROUS OXIDE for human therapeutic use

Index – Amend Entry

NITROUS OXIDE

Schedule 10

Schedule 4

Therapeutic Indications

Nitrous oxide is used by inhalation in combination with oxygen. It is a potent analgesic, used in labour and to provide analgesia during painful medical or dental procedures usually in combination with other sedative agents. Its enduring popularity can be attributed to its favourable safety profile when used under appropriate supervision for short periods.

Nitrous oxide is used with oxygen and provides a background anaesthesia which is usually supplemented with either a potent inhaled or intravenous anaesthetic. These supplements are required in approximately half of their normal anaesthetising doses because of the anaesthetic effect of the nitrous oxide.

Nitrous oxide is used as an analgesic agent, in conjunction with oxygen. Examples include:

- The relief of severe pain, usually in emergency situation, by inhalation with 50% oxygen.
- Administration of nitrous oxide, usually with 50% oxygen for procedures which inevitably involve pain, such as wound and burn dressings, wound debridement and suturing.

Precautions for Use

Repeated administration or exposure to nitrous oxide may lead to addiction. Caution should be exercised in patients with a known history of substance abuse or in healthcare professionals with occupational exposure to nitrous oxide.

According to the Health Products Regulatory Authority, nitrous oxide causes inactivation of vitamin B12, which is a co-factor of methionine synthase. Folate metabolism is consequently interfered with and DNA synthesis is impaired following prolonged administration of nitrous oxide. Prolonged or frequent use of nitrous oxide may result in megaloblastic marrow changes, myeloneuropathy and sub-acute combined degeneration of the spinal cord.

The ASA strongly believes the sale, supply or use of nitrous oxide should be prohibited outside of legitimate medical and industrial uses, because of the known dangerous properties. Recreational prolonged use of nitrous oxide has significant negative impacts on cognitive capabilities including brain injury as it deprives the body of oxygen. As the administration of nitrous oxide in a medical context requires the oversight and presence of health professionals, it stands to reason that the recreational use of this substance should require a similar level of oversight for safety reasons.

Nitrous oxide is readily available for individuals to purchase online. The proposed scheduling with the exception in relation to supply in containers greater than 50cm³ or supplied in a gaseous preparation in 10g or greater quantity would not unreasonably inconvenience legitimate users.

The ASA would be happy to provide further information if required by the ACCS and to participate in any meetings.

If you require any further information or would like to discuss further, please do not hesitate to contact [REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED]

Australian Society of Anaesthetists





28 October 2019

Mr Blair Boyer MP
Member for Wright
Office shop 2 Manor Farm Shopping Centre,
53 Northbri Avenue
Salisbury East
SA 5109

Dear MP Boyer,

Controlled Substances (Nitrous Oxide) Amendment Bill 2019

The Australian Society of Anaesthetists (ASA) is the peak body and leading representative of the professional and economic interests of Australian anaesthetists. The ASA was established in 1934, and represents Australian anaesthetists ensuring the high standards of the profession.

This submission provides feedback to the changes referred to in the *Controlled Substances (Nitrous Oxide) Amendment Bill 2019*.

Recreational prolonged use of nitrous oxide has significant negative impacts on cognitive capabilities including brain injury as it deprives the body of oxygen. As the administration of nitrous oxide in a medical context requires the oversight and presence of health professionals, it stands to reason that the recreational use of the substance should require a similar level of oversight for safety reasons. The ASA supports the efforts to age restrict the sale of nitrous oxide in South Australia, however, we would only part support the amendment for the following reasons outlined below.

The ASA has particular concerns with respect to the amendments to the Act regarding Special provisions relating to sale or supply of nitrous oxide. The approach taken to restrict the purchase of nitrous oxide is inconsistent with the approach taken to other substances of abuse (alcohol, tobacco and Schedule 8 medications), specifically in the requirement of the vendor to keep detailed records for a period of 2 years.

Insertion of S19A (2) – Requirements of the recording of personal information

This section imposes intense restrictions on the sale and supply of nitrous oxide gas.

Specifically,

- a) S19A (2), which lists the required information for a seller or supplier of non-medical or dental nitrous oxide to keep a record of information.
- b) S19A (4) (a), which outlines the required time of record keeping and the permissions of officers to access the records.

The ASA is concerned with these requirements as both the sections are unprecedented in the sale of restricted goods. The requirements of information recording and keeping outlined in section 19A (2) and 19A(4)(a) are more stringent compared to current requirements for the sale of other restricted “over counter” psychoactive substances, such as alcohol and nicotine.

Given that the data present on nitrous oxide use (2015 Drug Trends Report) indicates that it is less harmful when misused, and abused less frequently than alcohol and nicotine, it stands to reason that the penalty and restrictions levied against suppliers and sellers should not be greater than for those substances. Therefore, we are of the view that the collection of such detailed data and the storage of said data for 2 years is unwarranted.

The proposed amendment, seeking to establish a record of people purchasing nitrous oxide which must be maintained by the seller, should be reasonable. As such, recording and retaining such information for the purchase of nitrous oxide for the period of two years seems unreasonable

Age verification for Online Nitrous Oxide

Nitrous oxide is readily available for individuals to purchase online. In its current form the recommended amendment to age restriction will not be applicable to online purchases. Therefore, recording of information for online purchases of nitrous oxide will need to be re considered to be in line with similar restrictions applied to other substances of abuse.

For the reasons outlined above the ASA supports the bill in part and encourages further consideration to amend the S19A (2) accordingly.

Please contact [REDACTED]
[REDACTED] in the first instance should you require additional information.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

Australian Society of Anaesthetists

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Australian Society of Anaesthetists

