

# Preventing goods or materials containing asbestos being supplied to workplaces in Queensland

## Why are goods or materials that contain asbestos still being imported?

Asbestos is still widely used in some countries. Despite being a prohibited import in Australia, goods containing asbestos are still being identified at the border. Overseas manufacturers provide 'asbestos free' certification to importers, however this can be incorrect or unreliable.

Local standards in some supplier countries may classify goods asbestos-free where they meet a certain low level of asbestos content. In Australia, a product found with any level of asbestos is prohibited for import or use. Importers should be aware of the varying definitions and standards applied in the country of origin and/or supply.

## Work health and safety laws

All types of asbestos were prohibited in Australian workplaces from 31 December 2003. Work health and safety (WHS) legislation in all states and territories prohibits work involving asbestos including the supply, transport, use, or handling of asbestos unless an exception applies (e.g. the removal or transport of asbestos under the *Environmental Protection Act 1994*).

Under work health and safety laws, businesses must manage the risk of asbestos containing materials and ensure:

- the provision and maintenance of a working environment that is safe and without risks to health
- the provision and maintenance of plant, structure and systems of work that are safe and do not pose health risks.

Importers and suppliers must carry out or arrange tests and examinations sufficient to ensure that the imported plant, structure or substance meets work health and safety requirements.

Importers and suppliers must be aware of the risk of importing goods or materials into Australia that contain asbestos. Customs laws ban the importation of all types of asbestos and products containing asbestos, except under limited circumstances. Further information is available at [www.border.gov.au](http://www.border.gov.au).

The importation into Australia of amphibole or chrysotile asbestos is prohibited unless:

- the goods are raw materials that contain naturally occurring traces of amphibole or chrysotile asbestos
- the importation is 'hazardous waste' as defined in the [Hazardous Waste \(Regulation of Exports and Imports\) Act 1989](#)
- a Commonwealth Government ministerial exemption is granted to an importer, and for chrysotile asbestos, the goods are for research, analysis or display
- the importation is from the Australian Antarctic Territory (chrysotile only)
- the following apply:
  - the importation is of a ship or resources installation
  - the amphibole or chrysotile asbestos in the ship or resources installation was fixed or installed before 1 January 2005
  - the amphibole or chrysotile asbestos in the ship or resources installation will not be a risk to any person unless the amphibole or chrysotile asbestos is disturbed.

## Examples of imported products at risk of containing asbestos

**Building materials** - cement compound board, compressed asbestos sheeting (for example mill board), corrugated sheets, bitumen products used for damp-proofing, heat resistant sealing and caulking compounds, heating equipment, lagging, switchgear with washers, electrical panel partitioning, electrical cloths and tape.

**Motor vehicles/bikes and parts** - asbestos can be manufactured into motor vehicles/bikes including electric motor vehicles. Parts at risk include gaskets, seals and friction materials (brake linings or blocks, clutch linings).

**Mining/heavy industry equipment** - items at risk include pre-assembled switch rooms, flash vessels, effluent treatment equipment, various gaskets, joining material in flues, washers and friction materials.

**Ships and resources installations in excess of 150 gross tonnage** - resources installations, ships, barges and tugs may incorporate risk applications/construction including electrical panel partitioning, insulation for bulkheads, pipes and cables and manhole gaskets.

**Trains/locomotives** - insulation applications around the exhaust and muffler systems as well as pipe systems.

## Ensuring imported materials do not contain asbestos

Importers and suppliers must ensure materials do not contain asbestos. Importers can:

- arrange for a competent person to sample the goods/materials for testing by a laboratory prior to shipping to Australia. A laboratory in the country of origin of the material can be used if it meets the following standards:
  - it is accredited for compliance with ISO/IEC:17025
  - uses test method AS 4964-2004  
Qualitative identification of asbestos type in bulk samples by polarised light microscopy including dispersion staining techniques, or
  - it follows British method MDHS 787, the USA NIOSH Method 9002 for Qualitative identification of asbestos type in bulk samples, the USA OSHA Method ID-191 Polarised Light Microscopy of Asbestos, or the USA EPA Method 600/R-93/116 Method for the Determination of Asbestos

in Bulk Building Materials, all of which are very similar to AS 4964, or

- another method equivalent to AS 4964-2004.

Note: what these methods have in common is a small amount of the sample is crushed and placed on a microscope slide using the appropriate refractive index oil. Polarized light is used to observe the many optical properties of asbestos fibers that allow the microscopist to distinguish chrysotile, amosite and crocidolite from non-asbestos fibres.

\*The person doing the sampling should have the relevant experience in sample collection. A specific qualification or licence is not required. An example of a sampling methodology can be found in the *How to Manage and Control Asbestos in the Workplace Code of Practice 2011*, Appendix A. Samples should be packaged in such a way to prevent the release of fibres. At a minimum the samples must be double bagged within 200 micrometre thickness sample bags or wrapping, labelled and secured within an outer rigid packing container.

If the country of origin of the material does not have a laboratory that meets the above standards, the importer should, prior to shipping the goods/materials to Australia, arrange for a sample to be sent to an Australian based laboratory that meets the above Australian standards, and has an exemption granted under Regulation 4C (1)(b) and (3)(e) of the *Customs (Prohibited Imports) Regulations 1956* allowing the importation to Australia of samples suspected of containing asbestos.

Importers must apply to the relevant Australian Government Minister for an exemption to import asbestos for the purpose of analysis. For application information, contact the Asbestos Safety and Eradication Agency [enquiries@asbestossafety.gov.au](mailto:enquiries@asbestossafety.gov.au).

## More information

A list of companies that have applied for permits to analyse possible asbestos content and who can be engaged to test imported samples is at: [www.asbestossafety.gov.au/current-permits-import-asbestos-containing-materials-australia](http://www.asbestossafety.gov.au/current-permits-import-asbestos-containing-materials-australia).

More on how to apply for a permit to import suspected ACM for the purpose of testing in Australia is at: [asbestossafety.gov.au/testing-goods-or-materials-asbestos-australian-laboratories](http://asbestossafety.gov.au/testing-goods-or-materials-asbestos-australian-laboratories).

For materials that have already arrived in Australia, importers, suppliers and customers can arrange for a competent person to sample the

material and the sample to be sent to an Australian based laboratory that:

- is accredited for compliance with ISO/IED:17025
- uses test method AS 4964-2004 Qualitative identification of asbestos type in bulk samples by polarised light microscopy including dispersion staining techniques.

All test analysis certificates must:

- include a statement that the laboratory complies with ISO/IED:17025 and state the test method used
- state no asbestos detected when no asbestos has been detected and also state the limit of detection of the analytical method
- have a batch number or unique identifier such as a serial number to identify the goods or materials tested.

NATA accredited laboratories in Australia and internationally accredited laboratories, are listed at the NATA website [www.nata.com.au](http://www.nata.com.au).

If you receive imported goods or materials from a supplier within Australia, you can ask the importer or supplier for evidence the goods or materials are asbestos free, for example a test analysis certificate that complies with the standards specified.

**What to do if you have unintentionally imported, supplied or received ACM?**

Stop using the product containing asbestos and do not supply the product to others. Contact Workplace Health and Safety Queensland on 1300 362 128.