



Australian
Competition &
Consumer
Commission

NOTICE OF BAN

NATIONAL INTERIM BAN ON CERTAIN CONSUMER GOODS CONTAINING SYNTHETIC DRUG SUBSTANCES

On 18 June 2013, the Assistant Treasurer, the Hon. David Bradbury MP, issued a notice of an interim national ban on certain consumer goods containing synthetic drug substances on the basis that these goods create an imminent risk of death, serious illness or serious injury.

This interim ban is relevant to anyone supplying certain consumer goods that may contain synthetic drug substances (other than food, confectionery, tobacco or tobacco products, or goods entered on the Australian Register of Therapeutic Goods). All businesses in the supply chain including; manufacturers, importers, distributors and retailers are prohibited from supplying banned goods.

The interim ban was registered on the Federal Register of Legislative Instruments on 18 June 2013 and is effective for a period of 60 days from this day. Interim bans can be extended by the Minister for a further 60 days (total period 120 days) in certain circumstances. See <http://www.comlaw.gov.au/Details/F2013L01053>

It is intended to temporarily supplement prohibitions on substances that are either already in force or in the process of being brought into force in all Australian States and Territories through drug misuse or poisons legislation.

If you are, or were potentially, supplying consumer goods which fall within the scope of the interim ban, as described in the ban notice (copy of this notice is attached), you are required to immediately cease supplying or offering to supply such goods. Supplying banned consumer goods is an offence under the *Competition and Consumer Act 2010* and heavy penalties apply.

Further information and the interim ban notice can also be accessed via the ACCC's Product Safety Australia website at www.productsafety.gov.au.

COMMONWEALTH OF AUSTRALIA

COMPETITION AND CONSUMER ACT 2010

Consumer Protection Notice No. 2 of 2013

CERTIFICATION THAT AN INTERIM BAN ON CERTAIN CONSUMER GOODS CONTAINING SYNTHETIC DRUG SUBSTANCES SHOULD BE ISSUED WITHOUT DELAY

I, DAVID BRADBURY, Assistant Treasurer, pursuant to subsection 132J(1)(a) of the *Competition and Consumer Act 2010*, hereby **CERTIFY** that an interim ban under subsection 109(1)(a)(ii) of Schedule 2 to the *Competition and Consumer Act 2010* in relation to consumer goods of a kind specified below should be imposed without delay, as it appears to me that such consumer goods create an imminent risk of death, serious illness or serious injury.

Particulars of Consumer Goods

Goods (other than food, confectionery, tobacco or tobacco products, or goods entered on the Australian Register of Therapeutic Goods) the use of which involves, or includes, the good being introduced into the body (whether through ingestion, injection, inhalation, smoking, or any other means) and that:

1. are known by, or contain any of, the following names (or any similar names) or are otherwise represented to be equivalent to:

- a) White Revolver
- b) Ash Inferno
- c) Kyote
- d) K2
- e) Kronik
- f) Black Widow
- g) Buddha Express Black Label
- h) Iblaze Tropic Thunder
- i) I blaze
- j) Galaxy Ultra Nova
- k) Skunk
- l) Circus Deluxe
- m) Vortex Inferno
- n) Herbal Incense
- o) King Karma
- p) Montana Madness
- q) Sharman
- r) Iceblaze
- s) Slappa

or

2. contain a substance that is proscribed by Schedule 9 of the Poisons Standard 2012 as listed below:

- a) (1-(5-FLUOROPENTYL)-3-(2-IODOBENZOYL)INDOLE) *(AM-694).
- b) 2-(2-METHOXYPHENYL)-1-(1-PENTYLINDOL-3-YL)ETHANONE
*(JWH – 250).
- c) (1-(2-MORPHOLIN-4-YLETHYL)INDOL-3-YL)-NAPHTHALEN-1-YLMETHANONE
*(JWH – 200).
- d) NAPHTHALEN-1-YL-(1-BUTYLINDOL-3-YL)METHANONE
*(JWH – 073).
- e) 1-PENTYL-3-(4-METHYL-1-NAPHTHOYL)INDOLE *(JWH – 122).
- f) 1-PENTYL-3-(1-NAPHTHOYL)INDOLE *(JWH - 018).
- g) 2-[(1R,3S)-3-HYDROXYCYCLOHEXYL]- 5-(2-METHYLOCTAN-2-YL)PHENOL
*(CP 47,497).
- h) 2-[(1R,3S)-3-HYDROXYCYCLOHEXYL]-5-(2-METHYLNONAN-2-YL)PHENOL
*(Cannabicyclohexanol or CP 47,497 C8 homologue).
- i) BENZOYLINDOLES **except** when separately specified in other schedules of the Poisons Standard.
- j) CYCLOHEXYLPHENOLS **except** when separately specified in other schedules of the Poisons Standard.
- k) DIBENZOPYRANS **except** when separately specified in other schedules of the Poisons Standard.
- l) NAPHTHOYLINDOLES **except** when separately specified in other schedules of the Poisons Standard.
- m) NAPHTHYLMETHYLINDOLES **except** when separately specified in other schedules of the Poisons Standard.
- n) NAPHTHOYLPYRROLES **except** when separately specified in other schedules of the Poisons Standard.
- o) NAPHTHYLMETHYLINDENES **except** when separately specified in other schedules of the Poisons Standard.
- p) PHENYLACETYLINDOLES **except** when separately specified in other schedules of the Poisons Standard.
- q) SYNTHETIC CANNABINOMIMETICS **except** when separately specified in other schedules of the Poisons Standard.

r) 3,4-METHYLENEDIOXYPYROVALERONE *(MDPV)

s) ALKOXYPHENYLETHYLAMINES and substituted alkoxyphenylethylamines **except** when separately specified in other schedules of the Poisons Standard.

t) 2,5-DIMETHOXY-4-(N)-IODOPHENETHYLAMINE *(2C-I)

whether or not a statement to the effect that the goods are not intended for human consumption is made.

Dated this *18th* day of *June* 2013.

A handwritten signature in black ink, appearing to read 'David Bradbury', with a large, sweeping flourish extending to the right.

DAVID BRADBURY
Assistant Treasurer