<table>
<thead>
<tr>
<th>Folio No.</th>
<th>Referred to</th>
<th>Date</th>
<th>Clearing Officer's Initials</th>
</tr>
</thead>
<tbody>
<tr>
<td>s. 22(1)(a)(ii)</td>
<td>14:45</td>
<td>28/2/1998</td>
<td></td>
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</tbody>
</table>

NOTE: All papers MUST be folioed
<table>
<thead>
<tr>
<th>ACTION</th>
<th>OFFICER</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>LODGEMENT/REGISTRATION OF A TCO APPLICATION</td>
<td></td>
<td></td>
</tr>
<tr>
<td>INITIAL RECEIPT OF TCO APPLICATION</td>
<td>s. 22(1)(a)(ii)</td>
<td>18/4/05</td>
</tr>
<tr>
<td>APPLICATION REGISTERED IN TARCON &amp; ACKNOWLEDGEMENT LETTER SENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCREENING TCO APPLICATION</td>
<td>s. 22(1)(a)(ii)</td>
<td>19/4/05</td>
</tr>
<tr>
<td>DESCRIPTION OF GOODS SUPPLIED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHEDULE 3 CLASSIFICATION CLAIMED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DETAILS OF LOCAL MANUFACTURER INQUIRIES SUPPLIED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCO APPLICATION SIGNED BY APPLICANT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ILLUSTRATIVE DOCUMENTARY MATERIAL (IDM) OR SAMPLES SUPPLIED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACCEPTANCE OR REJECTION LETTER SENT &amp; TCO APPLICATION GAZETTED</td>
<td></td>
<td>24/4/05</td>
</tr>
<tr>
<td>OBJECTION TO APPLICATION</td>
<td></td>
<td></td>
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<tr>
<td>TCO OBJECTION LODGED AND OBJECTION RECEIVED LETTER SENT</td>
<td>s. 22(1)(a)(ii)</td>
<td>30/5/05</td>
</tr>
<tr>
<td>SEARCH FOR LOCAL MANUFACTURERS CONDUCTED BY CUSTOMS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCO APPLICANT NOTIFIED BY LETTER OF OBJECTIONS</td>
<td></td>
<td></td>
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<tr>
<td>AMENDING AN APPLICATION</td>
<td></td>
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</tr>
<tr>
<td>WRITTEN REQUEST FOR AMENDMENT OF TCO WORDING RECEIVED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AMENDED WORDING ACCEPTED OR REJECTED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AMENDED WORDING GAZETTED &amp; OBJECTORS NOTIFIED BY LETTER</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OBJECTIONS TO THE AMENDED WORDING RECEIVED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OBJECTION WITHDRAWN IN WRITING (NOTE REASON)</td>
<td></td>
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<tr>
<td>FINALISING A TCO APPLICATION</td>
<td></td>
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<tr>
<td>TCO MADE, REJECTED OR WITHDRAWN. REGISTRY FILE UPDATED &amp; FOLIOED</td>
<td>s. 22(1)(a)(ii)</td>
<td>31/5/05</td>
</tr>
<tr>
<td>MADE, REJECTED OR WITHDRAWN DECISION LETTER SENT TO THE TCO APPLICANT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCO PUBLISHED IN THE SCHEDULE OF CONCESSIONAL INSTRUMENTS (IF MADE) &amp;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GAZETTED (IF MADE, REJECTED OR WITHDRAWN)</td>
<td></td>
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</tr>
<tr>
<td>REVOCATION OF TCOS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCO REVOCATION REQUEST RECEIVED &amp; LODGED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NOTICE OF INTENT TO REVOKE TCO (CUSTOMS INITIATED) GAZETTED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCO REVOCATION APPLICANT NOTIFIED OF ACCEPTANCE OR REJECTION OF REQUEST FOR REVOCATION</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DECISION IS MADE. LETTER SENT TO TCO REVOCATION APPLICANT &amp; DECISION PUBLISHED IN GAZETTE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LEGISLATIVE INSTRUMENTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ELECTRONIC COPY OF LEGAL INSTRUMENT &amp; EXPLANATORY STATEMENT SENT TO ATTORNEY GENERAL’S DEPT</td>
<td>s. 22(1)(a)(ii)</td>
<td>2/6/05</td>
</tr>
<tr>
<td>ORIGINAL SENT TO ATTORNEY GENERAL’S DEPT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COPY OF LEGAL INSTRUMENT &amp; EXPLANATORY STATEMENT FILED</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Federal Register of Legislative Instruments (FRLI) - Hard Copy Lodgment Form

If this is a new Legislative Instrument:
Name of Instrument: Tariff Concession Order 0504276
Name of Principal: Customs Act 1901 Section 269P
Is there any additional material being lodged with this instrument? □ Yes

If this is a backcapture Legislative Instrument:
Is this part of a multiple backcapture? □ Yes □ No If yes, how many related instruments are being lodged? □ □
Name of Principal:
If this is a single backcapture lodgment:
Name of Instrument:
Is there any additional material being lodged with this instrument? □ Yes

How many pages are included with this lodgment? 1

Contact details in relation to this lodgment:
First Name
s. 22(1)(a)(ii)
Last Name
s. 22(1)(a)(ii)
Phone Number
s. 22(1)(a)(ii)
Fax No.
s. 22(1)(a)(ii)
e-mail Address
s. 22(1)(a)(ii)
Agency
Australian Customs Service

Tariff Concession Order 0504276
H20050624018
24/06/2005

Federal Register of Legislative Instruments (FRLI) Hard Copy Lodgment Receipt

CornLaw incorporating the Federal Register of Legislative Instruments
Attorney-General's Department
Robert Gavan Office
National Circuit
BARTON ACT 2600

Phone: FRLI - (02) 6250 6222
Fax: (02) 6250 6965
Email: FRLI - frl@ag.gov.au

Released by Department of Home Affairs under the Freedom of Information Act 1982
Under Section 269P of the Customs Act 1901, I, a delegate of the Chief Executive Officer, declare that the goods specified in Column 1 of the table are goods to which the item in Part III of Schedule 4 to the Customs Tariff Act 1992 specified in Column 2 of the table applies. This order shall have effect from APRIL 13, 2005 and continue in force until revoked under sections 269EC or 269FD of the Act, or the date, if any, specified in Column 2.

<table>
<thead>
<tr>
<th>COLUMN 1</th>
<th>COLUMN 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of Goods including the Customs Tariff Classification</td>
<td>Prescribed Item No. Date</td>
</tr>
<tr>
<td>2809.20.90 PHOSPHORIC ACID AND POLYPHOSPHORIC ACIDS Op. 13.04.05</td>
<td>- TC 0004176</td>
</tr>
</tbody>
</table>

This is page 1 of 1 page(s) of the above Table.

Dated JUNE 24, 2005

Delegate of the Chief Executive Officer
EXPLANATORY STATEMENT

Tariff Concession Instrument No. 0504276

Customs Act 1901

Background

Part XVA of the Customs Act 1901 (the Act) sets out a scheme under which Tariff Concession Orders (TCOs) may be made by the Chief Executive Officer of Customs (the CEO). A lower rate of customs duty applies to goods that are the subject of a TCO.

Under section 269F of the Act, a person may apply to the CEO for a TCO in respect of goods. If the CEO is satisfied that the application is not in respect of goods specified in section 269SJ of the Act, which sets out those goods that cannot be subject to a TCO, the CEO must decide whether the application meets the core criteria.

Section 269C of the Act provides that a TCO application meets the core criteria if, on the day on which the application was lodged, no substitutable goods were produced in Australia in the ordinary course of business. Section 269B of the Act provides that ‘goods produced in Australia’ has the meaning given by section 269D, ‘ordinary course of business’ has the meaning given by section 269E and ‘substitutable goods’ in respect of goods the subject of a TCO application, means goods produced in Australia that are put, or are capable of being put, to a use that corresponds with a use (including a design use) to which the goods the subject of the application can be put.

Subsection 269P(3) of the Act provides that if the CEO is satisfied that a TCO application meets the core criteria, the CEO must make a written order (a TCO) declaring that the goods the subject of the TCO application are goods to which a prescribed item of Schedule 4 to the Customs Tariff Act 1995 (the Tariff) specified in the order applies.


Instrument

TCO No 0504276 was made on 24 June 2005. It declares that those certain phosphoric and polyphosphoric acids are goods to which item 50 of Schedule 4 to the Tariff applies since the CEO was satisfied that no substitutable goods were produced in Australia. The general rate of duty on these goods is 5%. The rate of duty for the goods subject to the TCO is free.

Consultation

Subsection 269K(1) of the Act provides in part that as soon as practicable after accepting a TCO application as a valid application, the CEO must publish a notice in the Gazette which includes an invitation to any person who considers that there are reasons why the TCO should not be made to lodge a submission with the CEO. The CEO did not receive any submissions in response to this invitation.
Commencement

Subsection 269(1) relevantly provides that a TCO is to be taken to have come into force on the day on which the application for the TCO was lodged. TCO No. 0504276 is taken to have come into force on 13 April 2005.

The TCO does not affect the rights of a person (other than the Commonwealth) as at the date of registration so as to disadvantage that person or impose liabilities on a person (other than the Commonwealth) in respect of anything done or omitted to be done before the date of registration. The rights of importers will be beneficially affected. Under paragraph 126(1)(r) of the Regulations, importers of such goods will be able to apply for a refund of duty on goods imported since the day on which the TCO is taken to have come into force. The TCO does not impose any liabilities on any person.
Quote:

TC 0504276

Your Ref: RT/FA

24 JUN 05

Dear Sir/Madam,

TARIFF CONCESSION SYSTEM - APPLICATION SUCCESSFUL

I refer to your application for a Tariff Concession Order (TCO) lodged on 13 APR 05.

As a delegate of the Chief Executive Officer, I am satisfied that the application meets the core criteria on the basis of paragraph 269C of the Customs Act 1901 and have accordingly made a written Tariff Concession Order.

The decision to make a TCO will be published in Gazette No. TC 05/27 of 06 JUL 05.

The TCO, as detailed in the attachment, will be published in the Schedule of Concessional Instruments as soon as possible.

Yours faithfully,

Delegate of the Chief Executive Officer

ALBRIGHT & WILSON (AUSTRALIA) LIMITED
Attns. 47F(1)

PO BOX 20
YARRAVILLE VIC 3013

Released by Department of Home Affairs under the Freedom of Information Act 1982 protecting our borders
Under Section 269P of the Customs Act 1901, the Governor, as a delegate of the Chief Executive Officer, declares that the goods specified in Column 1 of the table are goods to which the items in Part VII of Schedule 4 to the Customs Tariff Act 1992 specified in Column 2 of the table apply. This Order shall have effect from April 13, 2006 and continue in force until revoked under sections 269SC or 269SD of the Act, or the date, if any, specified in Column 2.

<table>
<thead>
<tr>
<th>COLUMN 1</th>
<th>COLUMN 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of Goods including the Customs Tariff Classification</td>
<td>Prescribed Item No.</td>
</tr>
<tr>
<td>2809.20.90 PHOSPHORIC ACID AND POLYPHOSPHORIC ACIDS</td>
<td>Date</td>
</tr>
<tr>
<td>Op. 13.04.05</td>
<td>50 TC 0504276</td>
</tr>
</tbody>
</table>

This is page 1 of 1 page(s) of the above Table.

Dated JUNE 24, 2005

Delegate of the Chief Executive Officer
<table>
<thead>
<tr>
<th>Description of the particular goods including the applicable subheading of the Customs Tariff</th>
<th>Prescribed Item</th>
<th>Last day of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>2809.20.50 PHOSPHORIC ACID AND POLYPHOSPHORIC ACIDS Op. 13.04.05</td>
<td>- TC 0504276</td>
<td>50</td>
</tr>
</tbody>
</table>
Dear Sir/Madam,

TARIFF CONCESSION - APPLICATION ACCEPTANCE

Your application for a Tariff Concession Order (TCO) has been accepted by Customs as a valid application. The application will be published in Gazette No. TC 05/18 of 04 MAY 05. Details of the gazette notice are shown in the attachment.

Please examine the wording of the gazette notice and advise this office immediately if the wording does not accurately describe the goods for which a TCO has been sought. This is a verification of agreed wording, not an opportunity to further amend.

Yours faithfully,

Deputy of the Chief Executive Officer

ALBRIGHT & WILSON (AUSTRALIA) LIMITED
Attn s.47F(1)
PO BOX 20
YARRAVILLE VIC 3013
<table>
<thead>
<tr>
<th>Description of Goods including the Purpose of Change</th>
<th>Prescribed Item No.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHOSPHORIC ACID AND POLYPHOSPHORIC ACIDS</td>
<td>TC 0504276</td>
<td></td>
</tr>
<tr>
<td>Op. 13.04.05</td>
<td></td>
<td></td>
</tr>
<tr>
<td>STATED USE:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Used in a variety of food, technical and industrial applications</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applicant: ALBRIGHT &amp; WILSON (AUSTRALIA) LIMITED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>YARRAVILLE, VIC, 3013</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MINUTE PAPER
CENTRAL OFFICE

TR5

Please provide a Tariff Classification for the goods subject of this Tariff Concession application

NAME: [Redacted]

DATE: 18 April 2005

DATE REC'D (in TCs): 13 April 2005

APPLICANT: Albright & Wilson (Australia) Limited

GOODS: PHOSPHORIC ACID AND POLYPHOSPHORIC ACIDS

CLAIMED CLASSIFICATION: 2809.20.90

TA No. & CLASS'N:

INSUFFICIENT INFO. (REASONS): —

PRECEDENT No & CLASS'N: —

TARIFF ADVICE No (TAPIN): —

CLASSIFICATION DECISION: 2809.20.90

COMMENTS: IR1 +6

RETURNED TO TARIFF CONCESSIONS.

NAME: [Redacted]

DATE: 19/4/05

Released by Department of Home Affairs under the Freedom of Information Act 1982
<table>
<thead>
<tr>
<th>Description of the particular goods including the applicable subheading of the Customs Tariff</th>
<th>Prescribed Item Last day of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>2809.00.30 PHOSPHORIC ACID AND POLYPHOSPHORIC ACIDS Op. 13.04.05 TC 0564276</td>
<td>50</td>
</tr>
</tbody>
</table>

**Add Note:**

Applicant is not advised that above writing acceptable s. 22(1)(a)(ii) 21/4/05
<table>
<thead>
<tr>
<th>COLUMN 1</th>
<th>COLUMN 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of Goods including the Customs Tariff Classification</td>
<td>Prescribed Item No.</td>
</tr>
<tr>
<td>PHOSPHORIC AND POLY PHOSPHORIC ACIDS, other than phosphoric acid containing by weight:</td>
<td>2809.20.10</td>
</tr>
<tr>
<td>(a) 0.45% or more in a combined amount of iron aluminium and magnesium;</td>
<td>Free under 2809.20.10</td>
</tr>
<tr>
<td>(b) 0.3% or more of sulphuric acid, based on an acid containing</td>
<td>- TC 0504276</td>
</tr>
<tr>
<td>by weight 75% orthophosphoric acid</td>
<td></td>
</tr>
<tr>
<td>op. 13.24.26</td>
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</tr>
<tr>
<td>STAGED USE:</td>
<td></td>
</tr>
<tr>
<td>Used in a variety of food, technical and industrial applications</td>
<td></td>
</tr>
<tr>
<td>Applicant: ALERIGHT &amp; WILSON (AUSTRALIA) LIMITED</td>
<td></td>
</tr>
<tr>
<td>YARRAVILLE, VIC, 3013</td>
<td></td>
</tr>
</tbody>
</table>

| Q5 | F3 |
| QM | F 6-14 |

Kanossi NO

Have supplied sufficient information to satisfy 95

s. 22(1)(a)(ii)

18/4/05

---

Led Note.

Hang, about wording. He is away until 26.4.05. The excluded goods in the wording are classifiable to 2809.20.10 and are "free" in their own right.

Wording should read "Phosphoric Acid and Polyphosphoric acids"
Quote:

TC 0504276

Your Ref: RT/PA

18 APR 05

Dear Sir/Madam,

APPLICATION FOR A TARIFF CONCESSION ORDER

Your application for a Tariff Concession Order, details of which are shown below, was received in this office on 13 APR 05. The TC number shown above has been allocated to your application.

Date Sent : 12 APR 05
Applicant : ALBRIGHT & WILSON (AUSTRALIA) LIMITED
Goods : PHOSPHORIC AND POLYPHOSPHORIC ACIDS
Owner Code : s.47F(1)

If you have not been using the above Owner Code for this company would you please do so for future applications.

Yours faithfully,
s.22(1)(a)(ii)

Delegate of the Chief Executive Officer

ALBRIGHT & WILSON (AUSTRALIA) LIMITED
Attn: s.47F(1)
PO BOX 20
YARRAVILLE VIC 3013
fax message

Date: April 12\textsuperscript{th}, 2005

From: [Redacted]

To: National Manager
Tariff Branch
Australian Customs Service

Fax: [Redacted]

Subject: APPLICATION FOR TCO FOR PHOSPHORIC ACID

Please find attached our application for a TCO for Phosphoric Acid, tariff code 2809.20.90.

Please do not hesitate to contact me if you require any further information.

Regards

[Redacted]

Manager, Special Projects
ALBRITE® PHOSPHORIC ACID
75%, 81%, 85% and 95% strengths
(Food Grade)

CONFORMS TO FOOD CHEMICALS CODEX SPECIFICATIONS.
4TH EDITION, 1ST SUPPLEMENT 1997
AND FOOD STANDARDS CODE ISSUED BY AUSTRALIA NEW ZEALAND
FOOD AUTHORITY

Foodgrade ALBRITE Phosphoric Acids are manufactured as food and beverage acidulants. They may also be used as a component of acid cleaners and metal finishing preparations. The 75% strength acid is recommended for use as a pet food acidulant, whilst the 95% strength is used as an acid catalyst or where pure, high strength acid is needed.

<table>
<thead>
<tr>
<th>Description</th>
<th>Phosphoric acid manufactured from thermal acid</th>
</tr>
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<tr>
<td>Formula</td>
<td>H₃PO₄ (orthophosphoric acid)</td>
</tr>
<tr>
<td>Appearance</td>
<td>Clear, slightly viscous liquid</td>
</tr>
<tr>
<td>Formula Wt</td>
<td>98.00</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Specification</th>
<th>Code</th>
<th>Revised</th>
<th>Strength</th>
<th>H₃PO₄ (% m/m)</th>
<th>Iron (max as Fe)</th>
<th>Arsenic (max as As)</th>
<th>Fluoride (max as F)</th>
<th>Heavy Metals (max as Pb)</th>
<th>Lead (max as Pb)</th>
<th>Chloride (max as Cl)</th>
<th>YPA7SF.03</th>
<th>YPA81R.04</th>
<th>YPA85R.04</th>
<th>YPA95R.04</th>
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</thead>
<tbody>
<tr>
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<td>YPA7SF.03</td>
<td>20/03/98</td>
<td>75%</td>
<td>75.0-75.8</td>
<td>30 mg/kg</td>
<td>3 mg/kg</td>
<td>10 mg/kg</td>
<td>10 mg/kg</td>
<td>3 mg/kg</td>
<td>26 mg/kg</td>
<td>1.58 g/mL</td>
<td>1.65 g/mL</td>
<td>1.69 g/mL</td>
<td>1.81 g/mL</td>
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<tr>
<td></td>
<td>YPA81R.04</td>
<td>20/03/98</td>
<td>81%</td>
<td>81.0-81.8</td>
<td>30 mg/kg</td>
<td>3 mg/kg</td>
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<td>10 mg/kg</td>
<td>3 mg/kg</td>
<td>20 mg/kg</td>
<td>54.5% m/m</td>
<td>58.8% m/m</td>
<td>61.7% m/m</td>
<td>69.0% m/m</td>
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<tr>
<td></td>
<td>YPA85R.04</td>
<td>20/02/98</td>
<td>85%</td>
<td>85.0-85.8</td>
<td>30 mg/kg</td>
<td>3 mg/kg</td>
<td>10 mg/kg</td>
<td>10 mg/kg</td>
<td>3 mg/kg</td>
<td>20 mg/kg</td>
<td>-18°C</td>
<td>8°C</td>
<td>23°C</td>
<td>30°C</td>
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<tr>
<td></td>
<td>YPA95R.04</td>
<td>20/02/98</td>
<td>95%</td>
<td>95.0-95.8</td>
<td>30 mg/kg</td>
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<td>3 mg/kg</td>
<td>20 mg/kg</td>
<td>10.0 kg</td>
<td>10.0 kg</td>
<td>10.0 kg</td>
<td>10.0 kg</td>
</tr>
</tbody>
</table>

Typical Properties
- Density @ 20°C
- P₂O₅ 54.5% m/m
- Freezing Point
- Packaging
- PE-lined steel drums
- Reconditioned plastic drum
- Bulk (75% and 81% only) 1000L containers & road tankers

Storage and Handling
ALBRITE Phosphoric Acid is a strong mineral acid and will cause irritation to the skin, mucous membranes and eyes. For this reason, adequate care must be taken when using or handling this product. Protective clothing, PVC or rubber gloves and close-fitting goggles or a face shield should be worn.

CORROSIVE
CLASS 8
Product is liquid when packed and will normally remain as a supercooled liquid at temperatures appreciably below the stated freezing points. Whilst the 81% may freeze, the 85% and 95% are likely to freeze in cold weather, so they should be stored in a warm area preferably indoors. If freezing does occur, the acid should be remelted slowly by storing in a warm place or by loosening the bung and standing the drum in hot water. Further information is available from the MSDS entitled ALBRITE Phosphoric Acid.

Halal Approved
Certificate issued by the

*ALBRITE is a registered trademark of Albright & Wilson UK Limited, used under license.*
PLEASE NOTE there may be uses or applications of products we sell which are protected by patents and customers in their own interest should take necessary steps to avoid infringement of such patents. Every endeavour has been made to ensure that the information contained in this publication is reliable, but we shall not be liable for any inaccuracy in the information or for any loss, injury or damage whatsoever or howsoever arising which may result from its use. All sales of products referred to in this publication which are sold by Albright & Wilson (Australia) Limited will be made pursuant to our standard Terms of Sale, available upon request.

24-HOUR EMERGENCY TELEPHONE
AUSTRALIA - 1800 033 111
NEW ZEALAND - 0800 73 4607

Albright & Wilson (Australia) Limited
ACN 004 234 137
Phosphates Business
295 Whitehall Street, Yarraville 3013 Victoria, Australia

For Application Information,
please contact our National Customer Service Centre
Freecall: 1800 814 730 or Freefax: 1800 814 740

AUSTRALASIAN SALES OFFICES

<table>
<thead>
<tr>
<th>Region</th>
<th>Telephone</th>
<th>Facsimile</th>
</tr>
</thead>
<tbody>
<tr>
<td>New South Wales, Victoria, Tasmania and South Australia</td>
<td>1800 814 730</td>
<td>1800 814 740</td>
</tr>
<tr>
<td>Queensland</td>
<td>1300 732 100</td>
<td>1300 732 101</td>
</tr>
<tr>
<td>Western Australia</td>
<td>(08) 9356 2277</td>
<td>(08) 9356 2278</td>
</tr>
<tr>
<td>New Zealand</td>
<td>(09) 520 5915</td>
<td>(09) 520 6301</td>
</tr>
</tbody>
</table>

ALBRIGHT & WILSON IN AUSTRALASIA

Albright & Wilson (Australia) Limited has manufacturing operations at two sites. The Phosphaes Business is located at Yarraville (Victoria) and the Surfactants Business at Wetherill Park (New South Wales). The Company is a major producer of phosphate acid, food phosphates, polyphosphates, surfactants and emulsifiers. Industries served include detergents, food processing, toiletries, textile, paper, metal finishing, construction, mining and mineral processing, pharmaceuticals and water treatment.

Albright & Wilson New Zealand Limited operates as a trading office from Auckland, providing sales, marketing and warehousing facilities for New Zealand.
ALBRITE® PHOSPHORIC ACID
75%, 81% and 85% strengths (Technical)

ALBRITE Phosphoric Acid has a wide range of applications in metal finishing where it is used in the preparation of phosphating solutions, metal cleaning and derusting, chemical and electrolyte polishing and metal pickling. It is also a very effective catalyst for a number of organic reactions with industrial importance, and is used as a bonding agent in the manufacture of refractory products.

<table>
<thead>
<tr>
<th>Specification</th>
<th>Code</th>
<th>YPA7ST.02</th>
<th>YPA81T.03</th>
<th>YPA8ST.03</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code</td>
<td></td>
<td>27/01/00</td>
<td>27/01/00</td>
<td>27/01/00</td>
</tr>
<tr>
<td>Revised</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strength</td>
<td></td>
<td>75%</td>
<td>81%</td>
<td>85%</td>
</tr>
<tr>
<td>H₃PO₄ (Yo/m)</td>
<td></td>
<td>75.0-75.5</td>
<td>81.0-81.5</td>
<td>85.0-85.8</td>
</tr>
<tr>
<td>Iron (max as Fe)</td>
<td></td>
<td>50 mg/kg</td>
<td>50 mg/kg</td>
<td>50 mg/kg</td>
</tr>
<tr>
<td>Fluoride (max as F)</td>
<td></td>
<td>20 mg/kg</td>
<td>20 mg/kg</td>
<td>20 mg/kg</td>
</tr>
<tr>
<td>Chloride (max as Cl)</td>
<td></td>
<td>50 mg/kg</td>
<td>50 mg/kg</td>
<td>50 mg/kg</td>
</tr>
<tr>
<td>Properties</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Density @ 20°C</td>
<td></td>
<td>1.58 g/mL</td>
<td>1.65 g/mL</td>
<td>1.69 g/mL</td>
</tr>
<tr>
<td>P₂O₅</td>
<td></td>
<td>54.5% m/m</td>
<td>58.8% m/m</td>
<td>51.7% m/m</td>
</tr>
<tr>
<td>Freezing Point</td>
<td></td>
<td>-18°C</td>
<td>8°C</td>
<td>23°C</td>
</tr>
<tr>
<td>Packaging</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PE-lined steel drums</td>
<td></td>
<td>305 kg</td>
<td>320 kg</td>
<td>330 kg</td>
</tr>
<tr>
<td>Reconditioned plastic</td>
<td></td>
<td>305 kg</td>
<td>320 kg</td>
<td>330 kg</td>
</tr>
<tr>
<td>drum</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulk (75% and 81% only)</td>
<td></td>
<td>1000L containers and road tankers</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Storage and Handling
ALBRITE Phosphoric Acid is a strong mineral acid and will cause irritation to the skin and mucous membranes and eyes. For this reason, adequate care must be taken when using this product. Protective clothing, PVC or rubber gloves and close-fitting goggles or a face shield should be worn.

CORROSIVE CLASS 8
Product is liquid when packed and will normally remain as a supercooled liquid at temperatures appreciably below the stated freezing points. Whilst the 81% may freeze, the 85% is likely to freeze in cold weather, so they should be stored in a warm area, preferably indoors. If freezing does occur, the acid should be remelted slowly by storing in a warm place or by loosening the bung and standing the drum in hot water.

Further information is available from the MSDS entitled ALBRITE Phosphoric Acid
24-HOUR EMERGENCY TELEPHONE
AUSTRALIA - 1800 033 111
NEW ZEALAND - 0800 73 4607

Albright & Wilson (Australia) Limited
ABN 36 004 234 137
Phosphates Business
295 Whitehall Street, Yarraville 3013 Victoria, Australia

For Application Information,
please contact our National Customer Service Centre
Freecall: 1800 814 730 or Freefax: 1800 814 740

AUSTRALASIAN SALES OFFICES

<table>
<thead>
<tr>
<th>Region</th>
<th>Telephone</th>
<th>Facsimile</th>
</tr>
</thead>
<tbody>
<tr>
<td>New South Wales, Victoria, Tasmania and South Australia</td>
<td>1800 814 730</td>
<td>1800 814 740</td>
</tr>
<tr>
<td>Queensland</td>
<td>1300 732 100</td>
<td>1300 732 101</td>
</tr>
<tr>
<td>Western Australia</td>
<td>(08) 9356 2277</td>
<td>(08) 9356 2278</td>
</tr>
<tr>
<td>New Zealand</td>
<td>(09) 520 5915</td>
<td>(09) 520 6301</td>
</tr>
</tbody>
</table>

ALBRIGHT & WILSON IN AUSTRALASIA

Albright & Wilson (Australia) Limited has manufacturing operations at two sites: the Phosphates Business is located at Yarraville (Victoria) and the Surfactants Business at Wetherill Park (New South Wales). The Company is a major producer of phosphoric acid, food phosphates, polyphosphates, surfactants and emulsifiers. Industries served include detergents, food processing, toiletries, textile, paper, metal finishing, construction, mining and mineral processing, pharmaceuticals and water treatment.

Albright & Wilson New Zealand Limited operates as a trading office from Auckland, providing sales, marketing and warehousing facilities for New Zealand.
Section 1 - IDENTIFICATION OF THE SUBSTANCE/MIXTURE AND SUPPLIER
Classified as hazardous according to Worksafe Australia criteria.
CORROSIVE

ALBRITE® phosphoric acid
PA75F, PA75P, PA75T, PA76T, PA81F, PA81P,
PA81T, PA85P, PA85F, PA85T, PA90T and PA95F

Orthophosphoric acid, Thermal acid, Purified Wet
Process (PWA) acid, Troy acid
Phosphoric Acid 75%
Phosphoric Acid 76%
Phosphoric Acid 81%
Phosphoric Acid 85%
Phosphoric Acid 90%
Phosphoric Acid 95%

Use:
Metal Finishing
Catalyst Manufacture
Refractories
Food products (Food Additive Code No 338)

Section 2 - HAZARDS IDENTIFIED

| Flammability: | 0 | Min/Nil=0 |
| Toxicity: | 2 | Low=1 |
| Body Contact: | 3 | Moderate=2 |
| Reactivity: | 1 | High=3 |
| Chronic: | 2 | Extreme=4 |

Risk Phrases
R34 - Causes burns.
R41 - Risk of serious damage to eyes.

Safety Phrases
S26 - In case of contact with eyes, rinse immediately with plenty of water and contact a doctor or Poisons Information Centre.

Section 3 - COMPOSITION/INFORMATION ON INGREDIENTS

<table>
<thead>
<tr>
<th>Ingredients</th>
<th>CAS Number</th>
<th>Proportion (% m/m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phosphoric Acid</td>
<td>7664-38-2</td>
<td>75-95%</td>
</tr>
<tr>
<td>Water</td>
<td>7732-16-5</td>
<td>balance</td>
</tr>
</tbody>
</table>

Section 4 - FIRST AID MEASURES

Acute Health Affects

Swallowed: Considered an unlikely route of entry in commercial/industrial environments.
 Acid of suitable purity is a permitted food additive.
 Can cause severe internal irritation and damage.

Eye: Strong mineral acid, will severely irritate eyes and can cause permanent damage.

Skin: Strong mineral acid, corrosive to skin. Can cause burns.

Inhaled: This acid has low vapour pressure at ambient temperature. Hence under normal conditions, the concentration in the air will be insufficient to cause irritation to the nose or respiratory system. However, mists or fine droplet dispersions of acid are irritant and can cause damage to nasal passages and teeth. This would also occur when the acid is vaporised by contact with a very hot surface.

Chronic Health Affects

Prolonged exposure to mists can cause throat irritation.
Repeated ingestion of some phosphates (120-240mg/kg/day) has been shown to cause increased calcium excretion and soft tissue calcification in man.

MSDS - Phosphoric Acid
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First Aid

| Swallowed: | DO NOT INDUCE VOMITING. Immediately give plenty of water or milk and seek medical attention. |
| Eye: | Immediately hold eyes open and flush with water continuously for at least fifteen (15) minutes. Seek medical attention. |
| Skin: | Remove all contaminated clothing and wash affected area with plenty of soap and water. Treat burns with cold water and seek medical attention. |
| Inhaled: | Remove from further exposure. Seek medical attention if effects persist. |
| Advice to Doctor | Treat symptomatically. |

Section 5 - FIRE FIGHTING MEASURES

| Flammability | Phosphoric acid will not burn, however, it can react with metals to liberate hydrogen, a flammable, potentially explosive gas. |
| Fire/Explosion Hazard | On heating may produce phosphorus oxides (PO₃). |
| Keep containers cool by spraying with water to prevent pressure build-up and drums bursting. |
| Wear self-contained breathing apparatus. |

Section 6 - ACCIDENTAL RELEASE MEASURES

| Spills | Wear protective clothing, rubber boots, PVC or rubber gloves and close fitting goggles or face shield. Contain spill material with sand or earth. Prevent contamination of drains and waterways. Isolate any leaking containers and transfer contents to alternative suitable containers*, and label clearly. Where practical, transfer spill material and contaminated sand or earth to suitable containers for disposal at a licensed site. Neutralise residual acid and small spills with a mild alkali, such as soda ash† and wash area thoroughly with water. (For minor spills, washing with water only would be adequate). |
| * Suitable containers include polyethylene, polyethylene lined mild steel, or stainless steel. |
| † Ensure adequate ventilation in confined spaces. |

Section 7 - HANDLING AND STORAGE

| Storage | Store in a hunded area, well away from heat, alkalis, flammable goods, foodstuffs and empty foodstuff receptacles and oxidising agents (such as chlorates, nitrates). Store in accordance with regulations for Class 8 (CORROSIVE) Dangerous Goods Packaging Group III. Do NOT pressurise vessels to remove contents. Remove drum bungs slowly to release any internal pressure. |
| Suitable Packaging | The acid should be stored in plastic or polyethylene-lined mild-steel containers, or stainless-steel (18/8/316 type Mo stabilised or 316L) passivated before use by rinsing with nitric acid. If other metal objects are dropped into stainless-steel containers of phosphoric acid, or other than similar stainless-steel dip sticks or couplings used, de-passivation of the surface with rapid corrosion will occur, hydrogen will be liberated and the acid will turn green. If this occurs, the offending article should be removed and the container emptied, washed out and re-passivated. |

MSDS – Phosphoric Acid

*ALBRITE is a trademark used by Albright & Wilson (Australia) Limited.
Phosphoric acid is classed as a Schedule 5 poison under some conditions (eg. in containers smaller than 10 litres) and should be treated according to State Poisons Regulations.

**Engineering Controls**
Phosphoric acid is corrosive to many metals and should not be allowed to come into contact with mild steel, cast iron, aluminium, aluminium alloys, brasses, tinned or galvanised materials.
Use in well ventilated area

**Section 8 - EXPOSURE CONTROLS/PERSONAL PROTECTION**

<table>
<thead>
<tr>
<th>Exposure Standards</th>
<th>An Exposure Standard of 1mg/m³ (8hr-time Weighted Average, TWA) has been assigned by the National Occupational Health and Safety Commission (WorkSafe Australia)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short Term Exposure Limit (STEL)</td>
<td>3mg/m³</td>
</tr>
</tbody>
</table>

**Personal Protection**
Contact should be avoided. Protective clothing, PVC or rubber gloves and close fitting goggles or face shield should be worn. If mists are generated, a respirator suitable for aerosols should be worn.

**Section 9 - PHYSICAL AND CHEMICAL PROPERTIES**

<table>
<thead>
<tr>
<th>Appearance</th>
<th>Colourless liquid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Odour</td>
<td>Nil</td>
</tr>
<tr>
<td>Vapour Pressure (kPa)</td>
<td>0.75 (for 75% @20°C)</td>
</tr>
<tr>
<td>Vapour Density (Air =1)</td>
<td>3.4</td>
</tr>
<tr>
<td>Boiling Point (°C)</td>
<td>213 (for 95%)</td>
</tr>
<tr>
<td></td>
<td>187 (for 80%)</td>
</tr>
<tr>
<td></td>
<td>157 (for 85%)</td>
</tr>
<tr>
<td></td>
<td>147 (for 81%)</td>
</tr>
<tr>
<td></td>
<td>135 (for 78%)</td>
</tr>
<tr>
<td>Melting Point (°C)</td>
<td>30 (for 95%)</td>
</tr>
<tr>
<td></td>
<td>29 (for 90%)</td>
</tr>
<tr>
<td></td>
<td>23 (for 85%)</td>
</tr>
<tr>
<td></td>
<td>8 (for 81%)</td>
</tr>
<tr>
<td></td>
<td>-18 (for 75%)</td>
</tr>
<tr>
<td>Flash Point (Closed Cup °C)</td>
<td>Will not burn</td>
</tr>
<tr>
<td>Solubility in water (@25°C) (g/L)</td>
<td>Miscible in all proportions</td>
</tr>
<tr>
<td>Specific Gravity (@15.5°C) (g/mL)</td>
<td>1.81 (for 95%)</td>
</tr>
<tr>
<td></td>
<td>1.75 (for 90%)</td>
</tr>
<tr>
<td></td>
<td>1.70 (for 85%)</td>
</tr>
<tr>
<td></td>
<td>1.65 (for 81%)</td>
</tr>
<tr>
<td></td>
<td>1.58 (for 75%)</td>
</tr>
<tr>
<td>pH (1% solution in water)</td>
<td>1.0</td>
</tr>
</tbody>
</table>

**Section 10 - STABILITY AND REACTIVITY**

<table>
<thead>
<tr>
<th>Hazards</th>
<th>Reacts vigorously with alkalis (eg. caustic soda) with the evolution of heat. Hazardous polymerisation will not occur.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All listed concentrations of phosphoric acid will normally remain as supercooled liquids at temperatures below the true freezing points, however, acid may crystallise in cold weather. Hence, acids in drums should be stored in a warm preferably indoor area.</td>
</tr>
<tr>
<td></td>
<td>When crystallisation does occur, it is usually due to seeding by dust particles or local cooling. Solidification of the acid does not break the container. The acid should be remelted slowly at temperatures which will not damage the plastic drum liner. If the crystallised acid is in a tank, it should not be heated above a temperature at which corrosive attack occurs on the tank or the heating elements. Care must be taken to ensure that all the crystals are melted; otherwise re-crystallisation will rapidly occur on subsequent cooling.</td>
</tr>
</tbody>
</table>

MSDS - Phosphoric Acid

*ALBRITE is a trademark used by Albright & Wilson (Australia) Limited.*
Section 11 - TOXICOLOGICAL INFORMATION

Toxicity
Oral (rat) LD_{50}: 1530mg/kg

Irritation
Dermal (rabbit) LD_{50}: 2740mg/kg as H_{3}PO_{4}.

Source: Sax & Lewis 7th Edition

Inorganic phosphates have not been shown to cause cancer, genetic damage or reproductive or developmental damage in animal tests.

Section 12 - ECOLOGICAL INFORMATION

Other Information
High concentrations in receiving waters will injure aquatic life due to the effect of low pH. Low concentrations of phosphates may act as a plant nutrient or precipitate heavy metals.

Section 13 - DISPOSAL CONSIDERATIONS

Disposal
Store waste acids in suitable containers* for disposal through a licensed prescribed waste handling company.
Clearly label all containers
* Suitable containers include polyethylene, polyethylene lined mild steel, or stainless steel.

Section 14 - TRANSPORT INFORMATION

Transport
Classified as a Dangerous Good for storage and transport.

UN Number: 1805
UN Proper Shipping Name: PHOSPHORIC ACID
Dangerous Goods Class: 8
Subsidiary Risk: Nil
Hazchem Code: 2R
Packaging Group: III
EPG/IERG Number: 8A1/37
IMO Class: 8
IMDG Page: 8204

Section 15 - REGULATORY INFORMATION

Poisons Schedule: Australia S5
             New Zealand S3
NIOSH RTECS No: TB 6300030

Section 16 - OTHER INFORMATION

PLEASE NOTE there may be uses or applications of products we sell which are protected by patents and customers in their own interest should take necessary steps to avoid infringement of such patents. This MSDS summarises our best knowledge of the health and safety hazard information of the product, and how to safely handle and use the product in the workplace. Each user must review this MSDS in the context of how the product will be handled and used in the workplace. If clarification or further information is needed to ensure that an appropriate risk assessment can be made, the user should contact Albright & Wilson (Australia) Limited. Our responsibility for products sold is subject to our standard terms and conditions, a copy of which appears on all invoices, and is also available upon

MSDS - Phosphoric Acid
ALBRITE is a trademark used by Albright & Wilson (Australia) Limited.
### AUSTRALASIAN SALES OFFICES

<table>
<thead>
<tr>
<th>Region</th>
<th>Telephone</th>
<th>Facsimile</th>
</tr>
</thead>
<tbody>
<tr>
<td>New South Wales, Victoria,</td>
<td>1800 814 730</td>
<td>1800 814 740</td>
</tr>
<tr>
<td>Tasmania and South Australia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Queensland</td>
<td>(07) 3808 5888</td>
<td>(07) 3808 3500</td>
</tr>
<tr>
<td>Western Australia</td>
<td>(08) 9356 2277</td>
<td>(08) 9356 2278</td>
</tr>
<tr>
<td>New Zealand</td>
<td>(09) 520 5915</td>
<td>(09) 520 6301</td>
</tr>
</tbody>
</table>

### Revision History

- **5 March 1998**
- **15 May 2000**
- **3 July 2003** New product 76% added
APPLICATION FOR A TARIFF CONCESSION ORDER (TCO)

The form should be read carefully before being completed

(a) Before lodging an application for a TCO, the applicant should determine whether a suitable TCO already exists. Information on existing TCOs is contained in the schedule of Concessional Instruments (SCI), a copy of which is available at each Regional Office of Customs. A TCO can be used by any importer.

(b) An application will be date stamped on the day it is first received in Canberra by an officer of Customs. Receipt of an application will be acknowledged. Any resultant TCO will operate from the date of receipt. Instructions on how to lodge this form are provided at the end of the form.

(c) Where an application is accepted as being a valid application, the identity of the applicant and of the importer for whom the applicant is acting will be published in the Gazette.

(d) Section 269F of the Customs Act 1901 requires that a TCO application to be in writing, be in an "approved form", contain such information as the form requires, and be signed in the manner indicated in the form. This is the approved form for the purposes of that section.

(e) Section 269FA of the Customs Act 1901 states "it is the responsibility of an applicant for a TCO to establish, to the satisfaction of the Chief Executive Officer (CEO), that, on the basis of:
(i) all information that the applicant has, or can reasonably be expected to have; and
(ii) all inquiries that the applicant has made, or can reasonably be expected to make;
there are reasonable grounds for asserting that the application meets the core criteria". The application is to meet the core criteria if, on the day of lodgement of the application, no substitutable goods were produced in Australia in the ordinary course of business.

(f) Every question on the form must be answered. Failure to supply the information required by this form will result in rejection of the application (and in the loss of operative date).

(g) Where the form provides insufficient space to answer a question, an answer may be provided in an attachment. The attachment should clearly identify the question to which it relates.

(h) All information about inquiries into the production of substitutable goods must relate to the date the application is lodged with Customs.

(i) Customs may require an applicant to substantiate, with documentary evidence, any information provided in the application form.

(j) Further information on the Tariff Concession System is available in Part XVA of the Customs Act 1901, in the foreword to the Schedule of Concessional Instruments, in the administrative guidelines in Volume 13 of the Australian Customs Service Manual, in Australian Customs Notice No. 98/9, on the internet at www.customs.gov.au, by e-mailing information@customs.gov.au or by phoning the Customs Information Centre 1300 353 263.

APPLICANT DETAILS (An agent/broker should provide details on the next page)

Applicant's Name: ALBRIGHT & WILSON AUSTRALIA LTD
Australian Business Number (ABN): 36 004 234 137
Postal Address: P.O. Box 20, YARRAVILLE, VICTORIA 3013
Applicant's Reference: RT/PA
Owner Code (if applicable): -
Company Contact: s.47F(1)
Position Held: MANAGER SPECIAL PROJECTS
s.47F(1)

To avoid confusion, use the TCO to import into Australia the goods the subject of the application, you must provide, in the section below, the identity of the importer for whom you are acting (refer to paragraph 269F(3)(c) of the Customs Act 1901).

IMPORTER DETAILS

Importer's Name (If same as applicant, write "as above")
A.B.N. 61 04 00 00 135
Postal Address: AS ABOVE
Importer's Reference: -
Owner Code: -
Company Contact: -
Position Held: -
Telephone Number: -
Facsimile Number: -
DESCRIPTION OF GOODS

(a) The description of the goods in the application will be used as the description of the goods in the TCO (if made).
(b) The application should provide a full description of the goods, including the physical features of the goods or the various components of the goods. It should not describe the goods in terms of what they do.
(c) In accordance with section 269S of the Customs Act 1901, the CEO must not make a TCO in respect of goods:
   (i) described in terms other than in generic terms; or
   (ii) described in terms of their intended end use; or
   (iii) declared by the regulations to be goods to which a TCO should not be extended.

Goods will be taken to be described in terms other than in generic terms if, for example, their description, either directly or by implication, indicates that they are goods of a particular brand or model, or that a particular part number applies to the goods.
(d) Guidance on the drafting of the description of goods is contained in Volume 13 of the ACS Manual and in Australian Customs Notice No. 98/19.

1 Describe the goods

PHOSPHIC AND ALKYL PHOSPHORIC ACIDS OTHER THAN PHOSPHIC ACID CONTAINING BY WEIGHT
   (a) 0.45% or more in a combined amount
       of iron, aluminium and magnesium; and
   (b) 0.57% or more of sulphuric acid,
       based on an acid containing by weight 75% orthophosphoric acid.

(CAS NUMBER: 7664-38-2)

ILLUSTRATIVE MATERIAL

2 Attach technical, illustrative descriptive material and/or a sample to enable a full and accurate identification of the goods of the subject of the application.

TARIFF CLASSIFICATION

3 Identify the tariff classification (to 8 figure subheading level) 2809.20.00

Identify the General Duty rate 0.5%

If a Tariff Advice for the goods has been sought or obtained, please provide the TA No. or attach a copy.

USES OF THE IMPORTED GOODS

4 Describe all uses (including design uses) to which the goods can be put.

PHOSPHIC ACID FALLING WITHIN 2809.20.00 IS USED IN

A VARIETY OF FOOD, TECHNICAL AND INDUSTRIAL

APPLICATIONS. THESE INCLUDE THE MANUFACTURE OF CARBONATED

BEVERAGES AND METAL POLISHING SOLUTIONS AND THE MANUFACTURE

OF ALKALI METAL PHOSPHATES USED IN FOOD PROCESSING

APPLICATIONS, DETERGENTS, CLEANERS, MINING AND MINERAL

PROCESSING, WATER SOFTENING AND REFRactories
SUBSTITUTABILITY OF LOCALLY PRODUCED GOODS

(a) A local manufacturer's goods are substitutable when they are put, or are capable of being put, to a use that corresponds with a use (including a design use) to which the goods the subject of the application can be put (subsection 269B(1) of the Customs Act 1901). Even if not identical, locally made goods may be substitutable.

(b) In determining whether the uses of Australian produced goods correspond with the uses of the goods the subject of the application, the ability of the goods to compete with each other in any market is not relevant.

(c) The applicant must provide written information as to the inquiries made to establish that there are reasonable grounds for believing that there are no producers of substitutable goods in Australia. The application must include a copy of the research material sourced and a copy of correspondence to, and replies from, potential local manufacturers or relevant industry associations. The application will be rejected if it fails to provide all written information as to the inquiries made.

NOTE: The Australian Customs Service suggests that potential local manufacturers should be given at least 10 working days to respond to inquiries concerning local manufacture.

5 Provide details of the nature of all inquiries you have undertaken in order to establish that substitutable goods are not produced in Australia, and the results of those inquiries. Attach copies of all correspondence or directory searches, etc.

s. 47G(1)(a)

6 Provide any additional information in support of discharging your responsibility to establish that there are reasonable grounds for asserting that there are no substitutable goods produced in Australia in the ordinary course of business.

PHOSPHIC ACID HAS UNIQUE PROPERTIES
AND APPLICATIONS AND IS NOT ANE
TO BE SUBSTITUTED IN ANY OF ITS
MAJOR APPLICATIONS SUCH AS THE
MANUFACTURE OF ORTHO-META-
AND POLYPHOSPHATE SALTS OR IN OTHER
FOOD AND BEVERAGE APPLICATIONS
OF INDUSTRIAL AND TECHNICAL
APPLICATIONS
PRESCRIBED ORGANISATIONS

7 Have you made inquiries of a prescribed organisation to obtain advice about whether there are producers in Australia of substitutable goods?

☐ YES  ☐ NO

If YES, attach a copy of the advice received.

Note that under subsection 269M(6) of the Customs Act 1901, the CEO may, despite section 16 of the Customs Administration Act 1995, give a copy of all or of a part of the application to a prescribed organisation.

ADDITIONAL INFORMATION

8 Provide any additional information in support of your application

s. 47G(1)(a)

DECLARATION

1 To the best of my knowledge and belief the information contained in this form is correct; and

2 I have the authority to act on behalf of the company/applicant; and

3 I agree, in submitting this form by electronic means (including facsimile) that, for the purposes of Sub-Section 14(3) of the Electronic Transactions Act, this application will be taken to have been lodged when it is first received by an officer of Customs, or if by e-mail, when it is first accessed by an officer of Customs, as specified in Sub-Section 268F(4) of the Customs Act.

Signature of Applicant/Agent/Broker

s. 47F(1)

Date 12-4-00

NOTE: SECTION 234 OF THE CUSTOMS ACT 1901 PROVIDES THAT IT IS AN OFFENCE TO MAKE A STATEMENT TO AN OFFICER THAT IS FALSE OR MISLEADING IN A MATERIAL PARTICULAR.

When this form has been completed lodge it with Customs by:

• posting it by prepaid post to the National Manager, Tariff Branch
  Australian Customs Service
  Customs House
  5 Constitution Avenue
  CANBERRA ACT 2601
  or

• delivering it to the ACT Regional Office located at
  Customs House, Canberra
  or

• sending it by facsimile to (02) 6275 6376
  or

• e-mailing it to tarcen@customs.gov.au.