



AUSTRALIAN CUSTOMS NOTICE NO. 2004/24

Safrole and Isosafrole in Essential Oils

The purpose of this notice is to assist industry to identify potential imports of safrole, which requires an import licence issued by the Therapeutic Goods Administration (TGA).

Safrole and related compounds are properly imported under tariff items 2932.94.00 (safrole), 2932.91.00 (isosafrole), 2932.93.00 (piperonal) and 2932.90 (MDP2P, also known as 3,4 methylenedioxyphenyl-2-propanone, piperonylmetylketone, PMK).

However Customs has observed shipments of safrole and safrole containing oils described as "**essential oil(s)**" (not otherwise described), "**essential oil(s) other than citrus**" or "**essential oil(s) - other**", mainly but not exclusively under tariff items **3301.29.00** and/or **3301.90.00**.

A description of goods covering an essential oil(s) consignment that contains any of the words or phrases: **sassafras, safrole, isosafrole, sassafras oil, Chinese sassafras oil, yellow camphor oil, or brown camphor oil** indicates with certainty that the goods contain safrole or isosafrole, and the importer must comply with import licensing and permit requirements.

An exception to this is "white camphor oil". Although coming from the same Chinese plant *Cinnamomum camphora*, the white camphor oil does not contain safrole and does not require a permit.

A goods description of "camphor oil" or "Chinese camphor oil" is insufficient. Clarification from the owner as to the type of the oil (white, yellow or brown camphor oil) must be sought before making any determination or declaration that the goods do not contain safrole.

In addition, high concentrations of safrole occur naturally in some, but not all, essential oils derived from plants of the genus *Cinnamomum*, cultivated commercially in South East Asia, a range of plants of the genus *Ocotea* and *Piper*, cultivated commercially in South America, and the plant *Sassafras albidum*, growing in North America.

Any shipment of essential oils derived from the plants named *Cinnamomum burmannii*, *Ocotea preciosa*, *Ocotea cymbarum* and *Piper hispidinervium* may have a high content of safrole.

Importation of generically described essential oils by a consignee apparently unconnected with flavours and fragrances industry, perfumery and cosmetics industry, pharmaceutical or chemical industry might be an indicator of covert supply of safrole to clandestine manufacture of illicit drugs in Australia. Your assistance in identifying such shipments is sought – please report suspicious consignments to Frontline on 1800 06 1800.

BACKGROUND – SAFROLE and REASONS for REGULATION

Safrole (tariff item 2932.94.00) and isosafrole (tariff item 2932.91.00) are chemicals legitimately used in production of heliotropin (piperonal), a fragrance and flavour substance used by the food industry, piperonal butoxide (PBO), an ingredient of some insecticides, and in perfumery and production of perfumed soap. (Safrole and related compounds were historically used in root beer and sarsaparilla food flavours, but have been phased out of use in the food industry, as they are carcinogenic if ingested - their consumption is linked with liver cancer.)

Safrole and isosafrole are also principal chemical precursors to the production of the illicit drug MDMA (ecstasy) – it is this use that gives rise to the regulation of safrole and related compounds. One kilogram of pure safrole or isosafrole enables production of more than 3 000 MDMA tablets.

Imports of safrole and isosafrole are regulated by the Customs (Prohibited Imports) Regulations 1956. Both are listed in the Schedule 4 of the Regulations, at Item 218A (safrole) and 112A (isosafrole). Legal imports of safrole and isosafrole require an import licence issued by the Therapeutic Goods Administration (TGA), and an import permit issued by the TGA before the importation of each consignment. Safrole and isosafrole are Tier 1 goods under Reg 179AA of the Customs Regulations 1926, and are listed under Item 18 (safrole) and Item 8 (isosafrole) of the Schedule 1AA of these Regulations. Importing any quantity of safrole or isosafrole without a licence and permit is a criminal offence under Section 233 BAA of the Customs Act 1901, and is punishable by a \$110,000 fine, imprisonment for five (5) years, or both.

Customs legislation provides for penalties for making a false statement to Customs; these may be applicable both to a person making such statements and to a person causing them to be made. In particular, Section 234 (1)(d)(iii) of the Customs Act 1901 makes it an offence to omit, or cause to be omitted, any matter from a statement to Customs reckless as to the fact that without this matter the statement becomes misleading in a particular matter.

These provisions might potentially apply in cases where safrole recovered by law enforcement agencies at illegal drug manufacturing sites is later found to have been imported under a generic description provided by the importer and not reasonably challenged by the broker.

Inquiries concerning this notice may be directed to Manager Current Intelligence, Assessments and Analysis, Risk Identification & Intelligence Branch, on telephone number (02) 6275 6318 or fax number (02) 6275 5906

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Risk Identification and Intelligence

31 May 2004