



Mental Health  
Commission



# Volatile Substance Use **Information** **for Retailers** in Western Australia



# Volatile substance use in Western Australia

Communities in Western Australia can experience issues with the misuse of volatile substances, particularly among young people. Inhaling or 'sniffing' these substances is very dangerous and can be fatal.

## What is volatile substance use?

Volatile substance use (VSU) is when someone deliberately inhales the gas, fumes or vapour from a volatile substance product to get a 'high' or feel intoxicated. It's also called *inhalant use* or *solvent use*.

## What products are volatile substances?

Most volatile substance products are everyday items found in or around homes, sold in shops or online. There are hundreds of products that can be inhaled for the purpose of intoxication.

However, a much smaller number of products is sought out by those who intend to misuse them. The popularity of these products varies according to local trends.

### Common products that may be misused include:

- **aerosols** – most aerosol products including deodorant, spray paints, cooking oil spray, air freshener, automotive and cleaning products
- **solvents** – petrol, glues/adhesives such as super glue, other products for cleaning/degreasing, paint thinning/stripping
- **gases** – butane/propane gas canisters used in camping stoves, cigarette lighter refill cans and cigarette lighters.

While it is impractical to refuse sale of all volatile substance products, it is important to take note if there is a sudden increase in the purchase or theft of the following products.

## Butane

Butane is of particular concern, as it is one of the most dangerous volatile substances with respect to the risk of sudden death. Butane comes in the form of cigarette lighter refills, disposable cigarette lighters and butane gas cartridges for camping stoves.

## Aerosol spray paints

One commonly used aerosol is spray paint. It is sought after for both the contents (paint), as well as the propellant (butane) so therefore poses a high risk to people who misuse it.

Other aerosols not containing solvents (such as cooking oil sprays) are also sought for the propellant gas (butane or other hydrocarbons).

## How can you help reduce access to volatile substances?

As a seller of volatile substances, you play a central role in preventing volatile substance misuse by reducing access.

A *Volatile Substances Code of Conduct* has been developed by the Mental Health Commission and is endorsed by the Western Australia Police Force, to assist you to sell and display volatile substances responsibly.

# Volatile substances code of conduct

Under **Section 206** of the Western **Australian Criminal Code\*** it is against the law to 'supply intoxicants to people likely to use them for the purpose of intoxication'.

**To assist in restricting the sale of volatile substances, this store will:**

- refuse sale of volatile substances to individuals where it is reasonable to suspect that the product will be used for the purpose of intoxication
- display high risk volatile substance products (such as **portable butane products, aerosol spray paints and/or other products being misused locally\*\***) behind the counter or in locked display cabinets away from the general public
- display signs, preferably next to the products, indicating our right to refuse sales
- use dummy containers for display purposes
- ask about the purpose of frequent or large quantities of these products being purchased
- keep all staff informed of the relevant laws and the potential misuse of these products for the purpose of intoxication.

\* A person who sells or supplies an intoxicant to another person in circumstances where the person knows, or where it is reasonable to suspect, that that or another person will use it to become intoxicated is guilty of an offence and is liable to imprisonment for 12 months and a fine of \$12,000.

\*\* See contacts on back page for your local VSU Central Coordinating Agency.

# Benefits of the responsible sale of volatile substances

**The responsible sale of volatile substances can benefit your business by:**

- reducing theft of stock and associated insurance claims
- deterring intoxicated people from entering the store
- ensuring other customers in your store don't feel threatened
- reducing the possibility of violence towards staff and customers
- improving compliance with occupational health and safety standards
- ensuring compliance with Section 206 of the WA Criminal Code
- improving your store's standing in the community through being socially responsible and community minded.

## What are the signs that a person may be misusing volatile substances?

It can be difficult to identify someone who may be misusing volatile substances. Knowing what behaviours are associated with volatile substance use can help you to identify and respond.

**The following are some things you can look for:**

### Signs of intoxication:

- intoxicated behaviours (excitable, giggly)
- unsteadiness, slurred speech, or other signs similar to drunkenness
- a drowsy, vacant or glazed expression in the eyes
- red eyes, a rash or sore spots around the mouth or nose
- nervous or anxious behaviour
- confusion or disorientation
- traces or smell of solvents on their clothes or breath.

## Also be alert to:

- groups of young people buying volatile substances or standing around counters or areas where they are displayed
- individuals or groups who buy volatile substances frequently, or come back on the same day to buy a similar product, or make multiple purchases
- requests for large numbers of aerosols, glues or cigarette lighter refills that do not conform to the reason for purchase
- several people entering the store together and using distraction techniques to steal products
- purchasers giving the product to others outside the store
- requests for plastic bags at the same time glue or other solvent-based products are also purchased
- odd answers when questioned as to the reason for the purchase – e.g. spray paint being used to paint a house.

# What else can you do?

The following steps provide a guide to managing the sale of volatile substances in your store:

1. **Identify** products that may be misused and consider how they are stored and displayed.
2. **Display** – apply the Code of Conduct – display spray paints and portable butane products behind the counter or in locked display cabinets or use dummy containers for display purposes.
3. **Store** volatile substances securely as most volatile substances used for inhaling are stolen rather than purchased.
4. **Develop a volatile substance use policy** with protocols for staff to deal with customers purchasing volatile substances, whilst ensuring their safety.
5. **Train staff** to ensure they understand your store policy on volatile substances and their rights and responsibilities.
6. **Use signage** to show your support for the responsible sale and your right to refuse sale of volatile substances (see signs available shown below).
7. **Consider alternatives** by replacing volatile products with safer, non-volatile options.
8. **Get involved** by supporting local community efforts to address volatile substance misuse and stay informed (see the contacts section on the back page for your local VSU Central Coordinating Agency).
9. **Report** incidents of theft or people using volatile substances at [vsureport.mhc.wa.gov.au](https://vsureport.mhc.wa.gov.au)



# Retailers' legal rights and responsibilities

## The law

**Section 206** of the **Western Australian Criminal Code** states:

*A person who sells or supplies an intoxicant to another person in circumstances where the person knows, or where it is reasonable to suspect, that that or another person will use it to become intoxicated is guilty of an offence and is liable to imprisonment for 12 months and a fine of \$12,000.*

Retailers should use their judgment to decide whether a buyer may be intending to inhale the product or sell or supply it to someone else for that purpose. It's safer to refuse a sale if there's any doubt.

In relation to spray paints, **Section 7** of the **Graffiti Vandalism Act 2016** states it is an offence to 'sell a graffiti implement to a child'. 'Graffiti implement' specifically includes 'a can of spray paint':

*A person who sells a graffiti implement to a child is liable:*

*(a) for a first offence, to a fine of \$6,000;*

*(b) for a subsequent offence, to a fine of \$12,000.*

**Nitrous oxide** is a restricted substance under the *Medicines and Poisons Act 2014* and the Western Australia **Medicines and Poisons Regulations 2016** further restricts the sale of nitrous oxide products to approved recipients only (eg: registered food businesses). This means nitrous oxide products are no longer available to the public.

The unlawful sale of nitrous oxide can result in an on-the-spot penalty of \$6,000 or up to \$30,000 if convicted in court. For more information visit [health.wa.gov.au/Articles/N\\_R/nitrous-oxide](http://health.wa.gov.au/Articles/N_R/nitrous-oxide)

Under Western Australian legislation, retailers have the right to refuse sale of their goods, refuse entry to their store and request an individual to leave their store - as long as the reason is fair and genuine and not discriminatory ie: based on race, age, disability or gender identity.

Therefore, retailers are not obligated to sell volatile substances to customers and may lawfully refuse based on reasons of safety, theft risk or suspicious behaviour.



## Suggested procedure for dealing with customers who you suspect may be misusing volatile substances

**Remain calm and polite.** Don't argue with the customer; just clearly and firmly state the company and government policy. Most people will accept this and leave.

**Use 'we' not 'I'.** Telling a customer "We can't sell you this product," removes the responsibility for the decision from you onto a management or government rule.

**Don't engage further.** Once you have decided to refuse sale, do not continue the conversation with the customer. Just repeat the refusal if needed.

**Prioritise safety of customers and staff.** Retailers have an obligation to ensure a safe environment for their staff and customers. If there is any threat or fear of violence, do not refuse the sale. Instead, comply with their wishes and call the manager or the police.

**Exercise caution with intoxicated customers.** If a customer appears intoxicated, you have the right to refuse entry or request they leave the store.

# Responding to an emergency

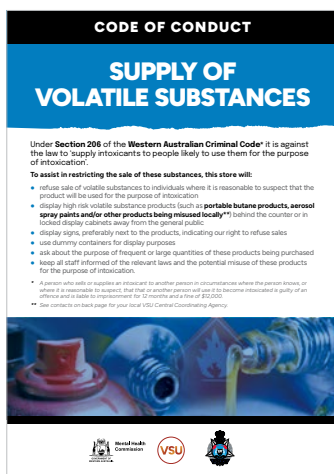
Volatile substance use poses significant risks and carries high potential for harm such as serious injury or even death. Sudden death may occur at any time – even the first time a person uses.

When intoxicated on volatile substances, people are at risk of hurting themselves or others.

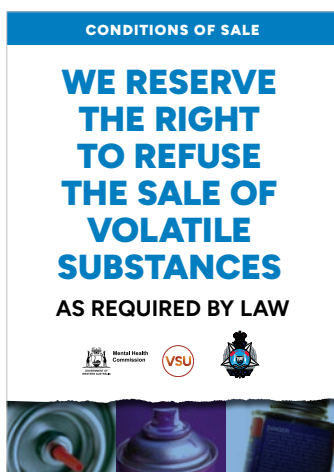
## **In an emergency:**

- call for your designated first aid officer.
- if someone is unconscious, lay the person on their side and clear their airway.
- call for an ambulance (Triple Zero/000).

# Posters available for display in your store



VSU code of conduct poster  
[Click here to download](#)



VSU conditions of sale  
[Click here to download](#)



VSU staff awareness poster  
[Click here to download](#)

# For further information or advice

Visit the VSU website [vsu.mhc.wa.gov.au](http://vsu.mhc.wa.gov.au) or scan the QR code below



**Alcohol and Drug  
Support Line**

**Alcohol and Drug Support Line (ADSL) 9442 5000 or 1800 198 024 (toll-free for country callers).** ADSL is a free, confidential, state-wide alcohol/drug telephone counselling, information and referral service for anyone concerned about their own or someone else's drug use.

Your local **Central Coordinating Agency** for volatile substance use issues:



## **For police assistance**

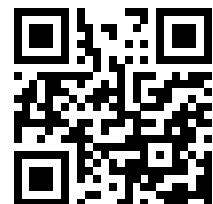
Police: **131 444**

## **For emergencies**

Ambulance or police: **000 (Triple zero)**



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