

28 February 2017

Microbeads Consultation
Ministry for the Environment
info@mfe.govt.nz

Managing microbeads in personal care products

This submission is made by Foodstuffs (NZ) Ltd on behalf of the Foodstuffs group of companies including Foodstuffs North Island Ltd, Foodstuffs South Island Ltd, and Foodstuffs (Own Brands) Ltd.

The contact for ongoing communication is: Melissa Hodd, Executive Manager, Foodstuffs (NZ) Ltd, at the address above. Email communications should be directed to melissa.hodd@foodstuffs.co.nz.

Submission Summary

Foodstuffs accepts that microbeads are damaging to the marine environment. Since first becoming aware of the issue in 2016, Foodstuffs has been working with its supply partners to phase out microbead containing products. We expect all our suppliers to be compliant as soon as reasonably practical and well ahead of the proposed microbead prohibition date of 1 July 2018.

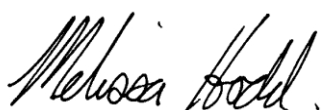
While product suppliers are being proactive in phasing microbeads out, Foodstuffs supports the proposal to develop regulations banning microbeads as a back-stop measure. This will ensure that these products are fully eliminated from the New Zealand market, providing both environmental benefits and a level playing field among competitors operating in the personal care product markets (manufacturers, brand-owners, and retailers). Regulations would provide clarity and certainty about the status of products containing microbeads and the scope of the product ban.

Responses to Specific Questions

1. Foodstuffs agrees with the Government's proposal to prohibit the manufacture and sale of personal care products containing microbeads to reduce their impact on New Zealand's environment and human health. There is clear evidence that these products have the potential to cause significant environmental damage, and alternative natural abrasives are available to be substituted. A product prohibition will bring New Zealand into line with other similar markets and support New Zealand's positioning in export markets as "environmentally sustainable".
2. We agree that the regulations should capture all personal care products containing microbeads regardless of their size, function, or use.
3. Foodstuffs currently sells some personal care products which contain microbeads. Since we became aware of the environmental issues associated with these products we have been working with our suppliers to voluntarily phase out these products, and to do so as quickly as practical. We anticipate microbead containing products will be eliminated from our supply chain by the end of 2017 if not earlier.

4. Foodstuffs does not manufacture or sell personal care products containing microbeads for medically prescribed uses or purposes.
5. Foodstuffs does not directly import any personal care products containing microbeads.
6. Foodstuffs is not aware of any personal care products containing microbeads for any purpose that could be considered essential or critical, however we cannot exclude the possibility that such products exist.
7. Foodstuffs sells personal care products that contain ingredients that are substitutable for microbeads, and fulfil a common function.
8. We understand the alternatives to microbeads are reasonably practical to source and readily available. However, manufacturers are better able to comment on this and cost implications.
9. Foodstuffs is working towards an objective of being "microbead free" at the earliest practical date. We have no intention to work against the policy intent by importing microbead containing products from overseas.
10. As Foodstuffs has already committed to a policy of phasing out microbead-containing products, and expects to achieve this status ahead of the proposed Government prohibition date, we will not be directly affected by the regulatory proposal.
11. We are comfortable with the proposed administrative and enforcement proposals, however, there may be more cost-effective enforcement approaches that should be considered, including using other agencies that have existing enforcement responsibilities in the sector.
12. We anticipate that government will adopt a proactive approach to educating the sector about the microbead ban once regulations are in place.
13. We believe the proposed timeframe for the implementation of regulations, on 1 July 2018, is reasonable. Our supplier partners have signalled they can be microbead-free before this date.
14. In fairness to the supplier community, the government needs to give as much warning as possible about the detail of the regulations, including their scope.
15. Microbead containing products have a loyal customer following and we anticipate that some customers will be upset that their favourite products are no longer available, or have new formulations. It would be helpful if Government would give continuing publicity to the intended ban and its environmental benefits to assist industry make the transition to microbead-free products with the public's support.

Yours sincerely

A handwritten signature in black ink that reads "Melissa Hodd". The signature is written in a cursive, flowing style.

Melissa Hodd
Executive Manager