

Managing microbeads in personal care products

SUBMISSION FORM

The Government is seeking views on a proposed ban on the sale and manufacture of plastic microbeads in personal care products in New Zealand.

For more information about the Government's proposals read our [Managing microbeads in personal care products consultation document](#).

Submissions close at 5.00pm on Tuesday 28 February 2017.

Making a submission

You can provide feedback in three ways:

1. Use the online submission form available at www.mfe.govt.nz/consultation/proposal-ban-sale-and-manufacture-plastic-microbeads-personal-care-products-new-zealand. This is our preferred way to receive submissions.
2. Complete this submission form and send to us by email or post.
3. Write your own submission and send to us by email or post.

Publishing and releasing submissions

All or part of any written submission (including names of submitters) may be published on the Ministry for the Environment's website www.mfe.govt.nz. Unless you clearly specify otherwise in your submission, we will consider that you have consented to website posting of both your submission and your name.

Contents of submissions may be released to the public under the Official Information Act 1982 following requests to the Ministry for the Environment (including via email). Please advise if you have any objection to the release of any information contained in a submission and, in particular, which part(s) you consider should be withheld, together with the reason(s) for withholding the information. We will take into account all such objections when responding to requests for copies of, and information on, submissions to this consultation under the Official Information Act.

The Privacy Act 1993 applies certain principles about the collection, use and disclosure of information about individuals by various agencies, including the Ministry for the Environment. It governs access by individuals to information about themselves held by agencies. Any personal information you supply to the Ministry in the course of making a submission will be used by the Ministry only in relation to the matters covered by this consultation. Please clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that the Ministry may publish.

Submission form

The questions below are a guide only and all comments are welcome. You do not have to answer all the questions. To ensure your point of view is clearly understood, please explain your rationale and provide supporting evidence where appropriate.

Contact information

Name*	TA Forum Steering Committee. This committee represents the views of waste officers from 67 councils around New Zealand.
Organisation (if applicable)	WasteMINZ
Address	
Phone	
Email*	<hr/>
Submitter type*	Individual <input type="checkbox"/> NGO <input type="checkbox"/> Business / Industry <input type="checkbox"/> Local government <input checked="" type="checkbox"/> Central government <input type="checkbox"/> Iwi <input type="checkbox"/> Other (please specify) <input checked="" type="checkbox"/> Industry Organisation on behalf of Local Government members

* Questions marked with an asterisk are mandatory.

Products in scope

1. Do you agree with the Government's proposal to prohibit the manufacture and sale of personal care products containing microbeads (e.g., body scrubs, facial cleaners, toothpastes) to reduce their impacts on New Zealand's environment and human health? Why/why not?

Yes

No

The TA Forum Steering Committee strongly commends the Ministry for the Environment for proposing to prohibit or control the manufacture and sale of products containing microbeads.

Given the cumulative nature of the impact of microbeads on fisheries and the environment, and the widespread availability of natural alternatives to microbeads, a ban on their use is deemed an appropriate measure.

2. What are your views on the Government narrowing or widening the definition of the scope of personal care products containing microbeads to be prohibited from manufacture and sale in New Zealand?

The TA Forum Steering Committee believes that the definition of the scope should be widened.

In particular microbeads used for texture and consistency in personal care products should be included in the scope.

Given that plastic microbeads are also used in industrial processes such as textile printing, automotive moulding and air blasting the Government is urged to begin researching the potential impacts of microbeads from these products.

3. Do you currently manufacture, sell or use any personal care products containing microbeads? Please specify.

Yes

No

4. Do you currently manufacture, sell or use any personal care products containing microbeads for medically prescribed uses or purposes? Please specify.

Yes

No

5. Do you currently import any personal care products containing microbeads into New Zealand, either for sale or personal use? Please specify.

Yes

No

6. Are you aware of any personal care products containing microbeads for any purpose that could be considered an essential or critical use?

Available alternatives

7. Do you currently manufacture, sell or use any alternatives to personal care products containing microbeads (or components therein), which are designed and used for the same purpose(s)? Please specify.

Yes

No

8. Do you consider the alternatives to personal care products containing microbeads (or components therein) to be reasonably practicable, readily available, and similarly priced for existing personal, business or other uses? Why/why not?

Yes

No

9. Is there any reason why the alternatives would not be reasonably practicable, readily available, or similarly priced for personal, business or other uses? If so, would you consider operating against the policy intent and importing personal care products containing microbeads from overseas?

Yes

No

10. What would be the impact on you or your business if personal care products containing microbeads were prohibited for manufacture and sale in New Zealand and the alternatives were not reasonably practicable, readily available, or similarly priced?

Administration and enforcement

11. Do you support the Government's approach to administration and enforcement of the proposed regulations under the Waste Minimisation Act? Why/why not?

Yes

No

We are concerned that the control of microbeads through the Waste Minimisation Act 2008 may not fully capture the breadth of microbead-containing products entering the New Zealand market, particularly through importers who source products from manufacturers who have not committed to ban microbeads in their own products.

Given that there are no New Zealand manufacturers who currently use microbeads in their products, imported goods are the most likely pathway for microbeads to enter the New Zealand environment.

There is an additional risk that excess product from countries who have already imposed a ban may be imported into the New Zealand market if the border control issue is not addressed.

Given that the Ministry of Business, Innovation and Employment and the Environmental Protection Authority both recommend that regulatory action through the Imports Exports (Restrictions) Act 1988 be pursued, the TA Forum Steering Committee was surprised to see the Ministry for the Environment proposing actions under the Waste Management Act.

We do not consider action under the Waste Minimisation Act to be the most targeted or effective intervention for managing the impacts of microbeads. Particularly, as regulation under this act wouldn't restrict the importation of goods into New Zealand

Therefore, the TA Forum Steering Committee recommends that the Imports Exports (Restrictions) Act 1988 be used.

12. Are there any other considerations for administration and enforcement of the proposed regulations that have not been outlined in the Administration and enforcement section of this consultation document?

Timeframe

13. What are your views on the Government's proposed timeframe for entry-into-force of the regulations under the Waste Minimisation Act to prohibit the manufacture and sale of personal care products containing microbeads?

The Government should ensure that any regulations are implemented at the same time as, or prior to other international legislation banning microbeads to ensure that excess product from countries who have already imposed a ban isn't "dumped" onto New Zealand markets.

14. Are there any issues about the proposed timeframe for entry-into-force of the regulations that the Government should consider?

15. Are there any ways the Government could help industry or consumers transition away from personal care products containing microbeads ahead of the regulations' entry-into-force?

Other comments

16. Do you have any further comments you wish to make about the Government's proposal?

The TA Forum Steering Committee also support the Australian Government Senate Committee for Environment and Communications References' recommendation to consider regulatory controls over a range of micro-plastics beyond microbeads. In particular, products such as nurdles have a similarly detrimental affect. <http://www.stuff.co.nz/dominion-post/news/local-papers/the-wellingtonian/10251611/Tiny-balls-making-a-big-mess>

In 2013 210,000 tonnes of nurdles were imported into New Zealand. In 2016, in Wellington a truck drove from Wellington to the Hutt Valley spilling nurdles as it went. Needless to say that despite extensive clean up efforts many entered the storm water network and ultimately, the harbour.

Beyond microbeads, there is strong public support for controls on the issuance of plastic bags and incentives for increased rates of recycling for plastic beverage containers. The common thread between these wastes and microbeads is their detrimental impact on marine and freshwater ecosystems.

Given the importance of the New Zealand fishing industry for economic growth and development we urge the Ministry to investigate other measures which can minimise or eliminate the harmful affects of plastic on our marine environment.

Releasing submissions

Your submission may be released under the Official Information Act 1982 and may be published on the Ministry's website. Unless you clearly specify otherwise in your submission, we will consider that you have consented to website posting of both your submission and your name.

Please check this box if you would like your name, address, and any personal details withheld.

Note that the name, email, and submitter type fields are mandatory for you to make your submission.

When your submission is complete

If you are emailing your submission, send it to microbeads.submissions@mfe.govt.nz as a:

- PDF
- Microsoft Word document.

If you are posting your submission, send it to Microbeads consultation, Ministry for the Environment, PO Box 10362, Wellington 6143.

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