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Friends of Taputeranga Marine Reserve
Trust

Ministry for the Environment
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microbeads.submissions@mfe.govt.nz

Dear Madam/Sir,

RE: Submission - Managing microbeads in personal care products

The Friends of Taputeranga Marine Reserve Trust (the Trust) was formed in October 2009 to help ensure that the full range of the Marine Reserve's potential benefits could be realised and to give the community both a voice and an involvement in its future and to advocate for healthy flourishing marine environments. The Trustees represent, or have had experience in marine science, the local community, commercial and recreational diving, central and local government, and conservation and marine users.

The Trust welcomes the Government's initiative to prohibit the use of plastic microbeads in several non-medical products, such as cosmetics. However, plastic microbeads are also used in cleaning products, printing toners, textile printing, oil and gas exploration and other industrial uses and medical applications. The more we can reduce the use of plastic microbeads, the better it will be for our food safety and the environment. The Trust therefore urges the Government to expand the scope to prohibit the use and import of personal care and household cleaning products containing plastic microbeads.

Plastic debris is a widespread pollutant of the marine environment and microscopic sized non-biodegradable plastic microfibers, microbeads and general plastic pollution in the ocean is impacting virtually all marine species, including marine mammals, fish, and sea birds, and moving through the food chain.

Many countries are moving to prohibit the use of microbeads in cosmetics products. However, it is important for the Government to address plastics pollution on a wider basis, to understand the scale of the problem, and work towards a sustainable solution.

Thank you for the opportunity to submit of the proposal. Please find below the Trust's submission.

Colin Ryder
Chair
Friends of Taputeranga Marine Reserve Trust

Managing microbeads in personal care products - Feedback

1. Do you agree with the Government's proposal to prohibit the manufacture and sale of personal care products containing microbeads (eg, body scrubs, facial cleaners, toothpastes) to reduce their impacts on New Zealand's environment and human health?

FoTMR fully supports the Government's proposal prohibit the manufacture and sale of personal care products containing microbeads. As clearly evidenced, microbeads and similar plastics have a negative persistent impact on many species at all levels of the food chain and the environment (GESAMP 2015). Studies have found microbeads accumulating in alarming numbers in many waterways where they can absorb persistent organic pollutants (POPs) such as polychlorinated biphenyls (PCBs) and dichlorodiphenyltrichloroethane (DDT), and may also carry toxic substances such as phthalates and bisphenol-A (BPA). From there, fish, birds, seals and other forms of marine life can consume these potentially toxic microbeads. Microplastics have been reported in many places including at the base of the food chain (plankton) as well as in arctic sea ice, and deep-sea sediments (UNEP 2014, Clark et al 2016, Cole et al 2016; GESAMP 2015, Ocean Conservancy 2016). Microbeads can enter the human food chain through seafood. Scientists are still beginning to understand the effects of plastic pollution on marine life which suffers injury and death through entanglement and ingestion of the synthetic material. A ban on non-biodegradable synthetic, solid plastic particles used in personal care products would be a big step toward in stopping plastics from entering our ocean and our food chain, making our food safer.

For a clear demonstration of microbeads in products see Wellington Underwater Club (2016).

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 Trust urges the Government to prohibit the manufacture and sale of household cleaning products containing microbeads. In addition, the Trust urges the Government to prohibit the import of all cosmetic products and household cleaning products that contain microbeads.

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

No.

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

No.

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

No.

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

No.

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)?

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?

Microbeads can easily be eliminated from personal care and household cleaning products and replaced with natural ingredients like almond and apricot shells. Care would need to be taken not to use unsustainably sourced natural products. A number of major companies are already taking steps to eliminate plastic microbeads from their manufactured products. E.g. The Trust understands that Tesco was phasing out microbeads from all its own brand cosmetics and household cleaning products by the end of 2016. Large cosmetic companies are starting to respond. L’Oreal, Procter & Gamble, Colgate-Palmolive have stated they would be voluntarily removing plastic microbeads from products. Johnson & Johnson, have agreed to phase out microbeads by the end of 2017 and Unilever says it stopped using them in 2014. Trade bodies such as the Cosmetic, Toiletry and Perfumery Association UK have recommended members stop using plastic particles in exfoliating and cleansing products by 2020, a target it says many will beat (Financial Times 2016).

9. Is there any reason why the alternatives would not be reasonably practicable, readily available, or similarly priced for personal, business or other uses?

No reason identified. As stated above.

If so, would you consider operating against the policy intent and importing personal care products containing microbeads from overseas?

N/A.

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?

N/A.

11. Do you support the Government’s approach to administration and enforcement of the proposed regulations under the Waste Minimisation Act?

Yes.

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?

No comment.

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 Trust agrees with the intention that new regulations under section 23(1)(b) of the WMA, would at the latest, come into force in July 2018. Our understanding is that the US has already adopted a new law to ban microbeads five millimetres or less effective at 1 January 2017 and that microbeads will be banned in Canada in mid-2018.

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

No comment.

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?

No comment.

References

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