

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

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Submitter type*	Individual <input type="checkbox"/> NGO <input checked="" type="checkbox"/> Business / Industry <input type="checkbox"/> Local government <input type="checkbox"/> Central government <input type="checkbox"/> Iwi <input type="checkbox"/> Other (please specify) <input type="checkbox"/>

* 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 (eg, body scrubs, facial cleaners, toothpastes) to reduce their impacts on New Zealand's environment and human health? Why/why not?

Yes

No

Civic Trust Auckland agrees with the Government's proposal because industry and individuals should not continue to pollute the oceans to the degree we have already. We depend on them as a food source, and the many animals living in the oceans need a clean and safe environment. Plastic waste in the oceans is very damaging to the habitat of these animals and can be prevented.

Microbeads are harmful for seabirds, turtles and fish, as they mistake them for food. They are then at risk of starvation or malnutrition, as the indigestible beads fill their stomachs and prevent them from getting enough food. Furthermore, like other plastics, microbeads can release toxic chemicals and absorb dangerous pollutants from the environment, such as polychlorinated biphenyls. Furthermore, if people eat kai moana, these toxins can affect us as well.

Harmful plastic microbeads are not a necessary part of the products in which they occur and should not be able to make their way into the oceans.

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 proposed legislation should cover all microplastics in all household and industrial products that are able to be washed down our drains.

We strongly support the intention to "define the scope of products as broadly as possible." The guidelines developed by Fauna & Flora International would seem to be useful, i.e.

- Any definition of 'microbeads' must include all solid plastic ingredients smaller than 5mm used for any purpose (not just for exfoliation). There should be no lower size limit included in the definition;
- The legislation should cover all products that are washed down the drain. This includes a wide range of cosmetic and personal care products as well as cleaning products, make-up, and other product categories;
- Legislation should not allow so-called 'biodegradable' plastics to be used as alternatives, as these materials do not degrade in the marine environment and therefore are not a solution to the problem;
- There should be a clear and prompt timeline for phasing out these ingredients, and a date after which products containing microplastics must not be sold. This should be within two years of the ban.

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?

No. Our understanding is that microbeads are unnecessary.

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?

Many of these products are not necessary in themselves. We are not aware of any products that, if banned, would disadvantage the consumer.

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

The proposed ban should be a legal ban, not subject to voluntary self-regulation.

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 proposed ban should be introduced as soon as possible and should not be a matter of voluntary self-regulation.

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?

From the consumer's point of view, the more the Government and various groups make users or potential users of these products aware of the damage they cause, the more readily people will be able to voluntarily avoid using them. Choosing not to use a particular product (for a variety of reasons but particularly for reasons of environmental harm) or to change to another product has already been demonstrated many times.

Other comments

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

Environment Minister Smith's proposal to ban the manufacture and sale of personal care products containing microbeads in NZ under the Waste Minimisation Act 2008 is a welcome move to address one part of the plastic waste problem.

We congratulate the Government on its proposal to prohibit the manufacture and sale of personal care products containing microbeads and look forward to its implementation. We would encourage the banning of more plastic products, including plastic bags.

The Trans-Tasman Mutual Recognition Act means that, despite the proposed ban, microbead products could still enter New Zealand via Australia. Nearly a quarter of our cosmetic products come from Australia, therefore such products should not be permitted to enter New Zealand until Australia introduces their own comprehensive legislative ban.

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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