

LCQ13: Regulation of products containing microbeads

Following is a question by the Hon Kenneth Leung and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (December 11):

Question:

In the Supplement to the Policy Address of this year, the Government indicated that it would implement a voluntary scheme for phasing out personal care and cosmetic products containing microbeads (Voluntary Scheme) to encourage the trade to stop the manufacture, import and sale of such type of products and help consumers choose microbead-free products. In this connection, will the Government inform this Council:

(1) as it is learnt that enacting legislation to ban products containing microbeads has become a global trend (countries which have enacted such legislation include the United States, the United Kingdom and South Korea), of the justifications for the Government to merely implement the Voluntary Scheme instead of enacting legislation; whether the Government will undertake to introduce legislation within the coming three years to comprehensively regulate the manufacture, import and sale of products containing microbeads; if so, of the details and timetable; if not, the justifications for that;

(2) of the details (including the implementation details, monitoring approach, and anticipated participation rate and effect) of the Voluntary Scheme;

(3) whether it will take measures or provide incentives to encourage small and medium retailers to participate in the Voluntary Scheme; if so, of the details; if not, the reasons for that; and

(4) given that the Environmental Protection Department commenced a one-year consultancy study in mid-2018 on personal care and cosmetic products containing microbeads, when the relevant study report will be published?

Reply:

President,

Reply to the question raised by the Hon Kenneth Leung is as follows:

(1) The Environmental Protection Department commissioned a consultancy study in April 2018 to review the international trend of regulating personal care and cosmetic products (PCCPs) containing microbeads and to collect and analyse relevant local market information, as well as to suggest a regulatory approach applicable to Hong Kong. The study cited a report compiled by the

International Union for Conservation of Nature stating that the majority of microplastics present in the ocean comes from natural degradation of plastic waste, while only 15 per cent to 31 per cent may originate from other specific sources, namely, plastic pellets raw materials, tyres, synthetic textiles, marine coatings, road markings, city dust and personal care products. Among these specific sources, the release of microbeads to the ocean from the use of PCCPs only accounts for about 2 per cent of the global microplastics emission quantity. Although by proportion this is a very minimal source, it is regarded as the only source of "intentional release". Hence various measures have been progressively implemented around the world to control the release of microbeads at the source.

Currently, voluntary phase-out and legislative control are two main approaches adopted in different places according to their particular circumstances to replace microbeads with alternative materials in the products progressively.

In the situation of Hong Kong, the local PCCP market is largely dependent on import, with manufacturing bases set up at places outside Hong Kong, including those countries and regions that have adopted different means and coverage to ban the manufacture of some types of microbead-containing products. Therefore, it will take quite some time to work out an appropriate and clear regulatory approach, to consult the various stakeholder groups in the trade, to go through the legislative procedures, and to allow time for the industry to clear out their stock. As such, whether to serve as a transitional arrangement in the legislative process or to respond to the society's strong aspiration for Hong Kong to catch up with the international trend of eliminating products containing microbeads as soon as possible, putting in place a voluntary phase-out scheme in the short term would be indispensable.

Based on the above analysis, we adopted the consultant's recommendation to implement a voluntary scheme first for phasing out PCCPs containing microbeads, aiming to encourage the trade to stop the production, importation and sale of these products, and to assist consumers in choosing microbead-free products. We will review the effectiveness of the voluntary phase-out scheme two years after its launch, and assess whether it is suitable to adopt legislative control over products containing microbeads in the Hong Kong market.

(2) The study information indicates that some places around the world, such as Australia and the Netherlands, have successfully applied voluntary schemes to progressively phase out microbeads. For example, the Australian Government launched in 2017 a voluntary programme with the phase-out rate assessed regularly. Based on data collected up to 2018, 97 per cent of PCCPs in Australia are already microbead-free.

Making reference to successful overseas experience, the Government has initial plan to establish a "Microbead-free Charter" for implementing a voluntary phase-out scheme. Participants, taking due consideration of their operational conditions, can set their own targets and timetables for reducing

or ceasing the production, importation and sale of PCCPs containing microbeads and strive to achieve the targets within the set timeframe. In the course of the scheme, we will follow up on the participants' phase-out progress, and conduct sample surveys and product testing for the purpose of examining and reporting the effectiveness of the scheme. At the same time, the Government will launch complementary publicity and education activities to provide the public with appropriate and accurate information, and to enhance their understanding of microbeads-related subjects. We plan to roll out the voluntary phase-out scheme in the second half of 2020. Its details, including the execution plan, monitoring methodology, effectiveness measurement, etc are still being drafted.

(3) We understand that, from the retailers' point of view, in particular small and medium-sized retailers having limited capability in market research and less resource for advertising and promotion, the necessary incentives for them to participate in ceasing the sale of PCCPs containing microbeads would be that they can obtain reliable ingredient information from manufacturers or importers and receive some support on public promotion. In fact, in recent years some international brand-name companies have taken voluntary actions to phase out microbeads gradually and replace them with natural alternatives (e.g. salt crystals, nut shells) in their products to enhance corporate image and competitiveness, and there has been an increasing variety of microbead-free products in the market. Therefore, on one hand, we plan to publicise the list of merchants that have joined the "Microbead-free Charter" and organise promotion activities such as launching and award presentation ceremonies to show encouragement and recognition. On the other hand, we would also provide the public with a list of microbead-free products and information on microbeads alternatives so as to share the retailers' responsibility on product checking and to facilitate green purchasing by consumers.

(4) The key findings and recommendations of the consultancy study have been covered in this reply. The consultancy study report is still being compiled and its relevant contents would be released in due course.