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28 July 2021

Chief Council Secretary (1)1  
Council Business Division 1  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Ms Mandy Poon)

Dear Ms Poon,

**Panel on Environmental Affairs  
List of follow-up actions**

Regarding the discussion item “Voluntary Scheme for Phasing Out Personal Care and Cosmetic Products Containing Microbeads” on 24 May 2021, please refer to **Annex** for the supplementary information requested by Members.

For enquiries, please feel free to contact the undersigned at 2594 6161.

Yours sincerely,

(Mr Kenneth ST CHAN)  
for Director of Environmental Protection

**Legislative Council  
Panel on Environmental Affairs**

**Voluntary Scheme for Phasing Out  
Personal Care and Cosmetic Products Containing Microbeads**

**OVERVIEW OF CONTROL STRATEGIES ON PERSONAL CARE AND  
COSMETIC PRODUCTS CONTAINING MICROBEAD IN OTHER  
JUSRIDDICTIONS**

At present, legislative control and voluntary phasing-out are two mainstream approaches adopted across the world to replace microbeads with alternatives in personal care and cosmetic products (PCCPs). Our global survey identifies 16 jurisdictions<sup>1</sup> that have promulgated different forms of regulatory measures to control PCCPs containing microbeads, supplemented with existing product registration system and product labelling regulation mandating compulsory full disclosure of product ingredients. Based on the values of PCCPs imported to Hong Kong, **Table 1** summarises the relevant laws, products covered and scope of control in the top 10 of these jurisdictions, together with the related product registration system and labelling regulation. Except for the voluntary product registration adopted in the United States, the remaining 9 jurisdictions require importers or manufacturers to register with the authorities the products they manufacture, import or sell, so that the authorities can trace the sources of PCCPs through the registration information filed by the importers or local manufacturers. In addition, all these 10 jurisdictions require that all PCCPs for sale must bear a label with a complete list of ingredients, thereby facilitating surveillance, law enforcement and prosecution. Examples of parties phasing out PCCPs containing microbeads through non-legal approaches include governments and organisations in Australia, Japan, the Netherlands, and Europe. The details of their approaches, products covered and phase-out rate are outlined in **Table 2**.

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<sup>1</sup> Including Argentina, Canada, Mainland, Denmark, France, India, Indonesia, Ireland, Italy, South Korea, New Zealand, Sweden, Taiwan, Thailand, the United Kingdom and the United States.

**Table 1 Overview of Microbead Ban in Jurisdictions and Other Relevant Legislations**  
(in descending order of the values of personal care and cosmetic products (PCCPs) imported to Hong Kong in 2020)

Jurisdictions	Relevant Laws on Microbead Ban	Products Covered	Ban on Manufacture	Ban on Import	Ban on Sale	Related Laws in Full Disclosure of Ingredients	Related Laws in Product Registration
Mainland	中華人民共和國產品質量法 (2019 年修正本) & 產業結構調整指導目錄 (2019 年本) & 相關塑膠製品禁限管理細化標準 (2020 年版)	Rinse-off PCCPs	31 December 2020	/	31 December 2022	<b>Required</b> 化妝品監督管理條例第 36 條	<b>Required</b> 化妝品監督管理條例第 17 條
France	French decree 2017-291 & The Environmental Code (Article L541-10-5)	Rinse-off PCCPs	1 January 2018	/	1 January 2018	<b>Required</b> Article 19(1)(g) of Regulation (EC) No 1223/2009 on Cosmetic Products	<b>Required</b> Article 13 of Regulation (EC) No 1223/2009 on Cosmetic Products
the United States	Microbead-free Waters Act of 2015 & Federal Food, Drug, and Cosmetic Act	Rinse-off PCCPs	1 July 2017	1 July 2018	1 July 2018	<b>Required</b> Part 701.3 of Code of Federal Regulations Title 21	<b>Voluntary Registration</b> Part 710 and 720 of Code of Federal Regulations Title 21
		Rinse-off PCCPs that are also non-prescription drugs	1 July 2018	1 July 2019	1 July 2019		
South Korea	Ministry of Food and Drug Safety Notice No. 2017-3 & Cosmetics Act & Regulations on the Safety Standards, etc. of Cosmetics	Rinse-off PCCPs	1 July 2017	1 July 2017	1 July 2017	<b>Required</b> Article 10(1) of Cosmetics Act	<b>Required</b> Article 5(4) of Cosmetics Act

Jurisdictions	Relevant Laws on Microbead Ban	Products Covered	Ban on Manufacture	Ban on Import	Ban on Sale	Related Laws in Full Disclosure of Ingredients	Related Laws in Product Registration
<b>Thailand</b>	Notification of the Ministry of Public Health regarding the characteristics of cosmetics prohibited from producing, importing or selling (No. 2) 2019 & Cosmetic Act (2015)	Rinse-off PCCPs	1 January 2020	1 January 2020	1 January 2020 (Note 1)	<b>Required</b> Section 22(3)(c) of Cosmetic Act (2015)	<b>Required</b> Section 14 of Cosmetic Act (2015)
<b>the United Kingdom</b>	The Environmental Protection (Microbeads) (England) Regulations 2017 & The Environmental Protection (Microbeads) (Scotland) Regulations 2018 & The Environmental Protection (Microbeads) (Wales) Regulations 2018 & The Environmental Protection (Microbeads) Regulations (Northern Ireland) 2019	Rinse-off PCCPs	<i>England</i> 9 January 2018  <i>Scotland</i> 19 June 2018  <i>Wales</i> 30 June 2018  <i>Northern Ireland</i> 11 March 2019	/	<i>England</i> 19 June 2018  <i>Scotland</i> 19 June 2018  <i>Wales</i> 30 June 2018  <i>Northern Ireland</i> 11 March 2019	<b>Required</b> <i>England, Scotland, Wales</i> Article 19(1)(g) of Regulation (EC) No 1223/2009 on Cosmetic Products & Schedule 34 of the Product Safety and Metrology Statutory Instrument  <i>Northern Ireland</i> Article 19(1)(g) of Regulation (EC) No 1223/2009 on Cosmetic Products	<b>Required</b> <i>England, Scotland, Wales</i> Article 13 of Regulation (EC) No 1223/2009 on Cosmetic Products & Schedule 34 of the Product Safety and Metrology Statutory Instrument  <i>Northern Ireland</i> Article 13 of Regulation (EC) No 1223/2009 on Cosmetic Products

Jurisdictions	Relevant Laws on Microbead Ban	Products Covered	Ban on Manufacture	Ban on Import	Ban on Sale	Related Laws in Full Disclosure of Ingredients	Related Laws in Product Registration
Taiwan	廢棄物清理法 & 公告「限制含塑膠微粒之 化粧品與個人清潔用品製 造、輸入及販賣」	Rinse-off PCCPs	1 January 2018	1 January 2018	1 July 2018	Required 化粧品衛生安全管 理法第 7 條	Required 化粧品衛生安全 管理法第 4 及第 5 條
Italy	The Budget Law 2018	Rinse-off PCCPs	1 January 2020	/	1 January 2020	Required Article 19(1)(g) of Regulation (EC) No 1223/2009 on Cosmetic Products	Required Article 13 of Regulation (EC) No 1223/2009 on Cosmetic Products
Indonesia	Regulation of The Drug and Food Control Agency about Cosmetics Technical Requirements (No. 23 of 2019)	Rinse-off PCCPs	22 August 2019	22 August 2019	22 August 2019	Required Article 5(1) of Regulation of Drug and Food Control Agency (No.30 of 2020)	Required Article 3(1) of Regulation of the Minister of Health (No. 1176 / MENKES / PER / VIII / 2010)
Canada	Microbeads in Toiletries Regulations & Canadian Environmental Protection Act (1999)	Rinse-off PCCPs	1 January 2018	1 January 2018	1 July 2018	Required Section 21.2(1) of Cosmetic Regulations	Required Section 30(1) of the Cosmetic Regulations
		Rinse-off PCCPs that are also natural health products or non- prescription drugs	1 July 2018	1 July 2018	1 July 2019		

Note:

1. Products that were placed on the market for sale before the law enactment could be sold until 28 June 2020.

**Table 2 Overview of Examples on Phasing out Microbeads by Non-legal Approaches**

Jurisdictions	Non-legal Schemes for Phasing out Microbeads	Products Covered	Phase-out Rate on Rinse-off PCCPs Containing Microbeads
<b>Australia</b>	The Australian government cooperated with the industry association Accord Australasia to launch the BeadRecede campaign in 2017.	Rinse-off PCCPs	<p style="text-align: center;"><b>99.3%</b> (as of November 2020)</p> <p style="text-align: center;">from the Australian government</p>
<b>Japan</b>	<p>The Japan Cosmetic Industry Association launched an initiative in 2016.</p> <p>The Japanese government implemented the “Resource Circulation Strategy for Plastics” in 2019 with an aim to completely reduce the microbeads in rinse-off PCCPs released into the marine environment by the end of 2020.</p>	Rinse-off PCCPs	<p style="text-align: center;"><b>100%</b> (as of May 2021)</p> <p style="text-align: center;">from the Japanese government</p>
<b>Europe</b>	The local NGO in the Netherlands, Plastic Soup Foundation, launched the Beat the Microbead campaign in 2012.	All PCCPs	<p style="text-align: center;"><b>97.6%</b> (as of May 2018)</p> <p style="text-align: center;">from Cosmetic Europe</p>
	The European industry association Cosmetic Europe launched an initiative in 2015.	Rinse-off PCCPs	