

立法會
Legislative Council

LC Paper No. CB(1)908/20-21(04)

Ref. : CB1/PL/EA

Panel on Environmental Affairs

Meeting on 24 May 2021

**Background brief on Voluntary Scheme for Phasing Out
Personal Care and Cosmetic Products Containing Microbeads
prepared by the Legislative Council Secretariat**

Purpose

This paper provides background information on the voluntary scheme for phasing out personal care and cosmetic products ("PCCPs") containing microbeads ("the Voluntary Scheme"). It also gives a brief account of the views and concerns expressed by Members when issues related to the management of microplastics were discussed by relevant committees of the Legislative Council ("LegCo").

Background

2. According to the report of the International Union for Conservation of Nature, the majority of microplastics present in the ocean come from natural degradation of plastic waste,¹ while about 15% to 31% are originated from other specific sources, namely plastic pellets raw materials, tyres, synthetic textiles, marine coatings, road markings, city dust and PCCPs. Although the release of microbeads to the ocean from the use of PCCPs accounts for about 2% which is a very minimal source, it is regarded as the only source of microplastics "intentionally released" into the ocean. While the majority of these microbeads

¹ Microplastics refer to plastics that are less than 5 mm in size, including microbeads and microfibrils, and can be categorized as "primary" or "secondary" according to their sources. Primary microplastics such as raw materials or microbeads are products intentionally manufactured through industrial process, while secondary microplastics are generally break-down products of abandoned plastics and refuse degraded after entering the environment.

will be removed in sewage treatment works, some of them will be discharged together with treated effluent into the marine environment, causing potential pollution to marine lives and food chains.

Voluntary scheme for phasing out personal care and cosmetic products containing microbeads

3. In April 2018, the Administration commissioned a consultancy study to review the international trend of regulating PCCPs containing microbeads,² collate and analyze relevant local market information, and suggest a regulatory approach applicable to Hong Kong. The study was completed in March 2020 and based on the consultant's recommendation, the Administration plans to implement the Voluntary Scheme for a two-year period in 2021 by launching a "Microbead-free Charter" ("the Charter") under which participants,³ 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. The Administration intends to publicize a list of the merchants that have joined the Charter and provide the public with a list of microbead-free products and information on microbeads alternatives.

Major views and concerns expressed by Members

4. Issues relating to the management of microplastics including the introduction of the Voluntary Scheme were brought up at various meetings of the Panel on Environmental Affairs ("EA Panel") in the Sixth LegCo. Relevant issues were also raised during the examination of the Estimates of Expenditure in recent years. Members' major views and concerns are summarized in the ensuing paragraphs.

² The scope of the consultancy study includes (a) the potential impact of microbeads on Hong Kong's environment; (b) the approaches taken in the international arena to control products containing microbeads and the implementation details; and (c) local stakeholders' views on the proposal to regulate products containing microbeads.

³ The Charter will cover exfoliators and other rinse-off PCCPs for face, body, hair, mouth, etc. Making reference to microbead definitions adopted in global regulatory approaches, the Administration defines microbeads as solid plastic particles smaller than 5 mm in size and intentionally added in rinse-off PCCPs for scrubbing, exfoliating or cleaning purposes. Participants in the Charter may include PCCP manufacturers, importers (agents/distributors), retailers, hair dressing/beauty salons and trade associations, etc.

Potential impact of microplastics on environment and human health

5. Members expressed concerns about the potential impact of microplastics on environment and human health. They pointed out that microplastics were commonly present in potable water of a number of countries and the toxic substances that had adhered to and accumulated on the surface of microplastics might find their way into the human body through the food chain, thus posing health hazards. Members enquired about how the Administration monitored the concentration of microplastics in Hong Kong waters and the capability of local sewage treatment works to remove microplastics.

6. The Administration advised that according to relevant overseas literature and scientific research findings, there was no evidence showing that microplastics had significant impact on the environment, ecology and public health. Some local academic research in recent years reported that microplastics did exist in various locations in Hong Kong waters, in concentrations not higher than other places and presenting relatively low levels of potential environmental impact. The results of a consultancy study commissioned by the Water Supplies Department ("WSD") also indicated that drinking water was in general not a major source of human exposure to microplastics. As there was no international standard on the level of microplastics in drinking water or for testing microplastics in water samples, WSD considered it more appropriate to keep abreast of the developments in related research and actions by international organizations (such as the World Health Organization) and follow up as appropriate.

7. The Administration also advised that as stated in some relevant overseas literature, the removal rate of microplastics by chemically enhanced primary treatment ("CEPT") was about 70% to 80% and was even higher for secondary treatment process. Currently, over 90% of sewage in Hong Kong was receiving CEPT or secondary treatment before being discharged. Most of the microbeads would remain in the sludge during the sewage treatment process, and would be delivered to the waste-to-energy facility T · Park, Tuen Mun for incineration. The Drainage Services Department also launched a survey in January 2021 to assess the amount of microplastics in local domestic sewage, treated effluent discharged from sewage treatment works and surface runoff in storm water drains.

Regulation of products containing microbeads

8. Some Members queried the effectiveness of introducing only voluntary measures to influence producers/suppliers' business decisions and change consumer behaviours towards phasing out products containing microbeads. They held the view that the Administration should set a timetable for enacting a

legislation to regulate such products. Some other Members, however, expressed concern that the measures (whether mandatory or voluntary) for phasing out microbead-containing products would bring adverse business impact on relevant trades, and called on the Administration to maintain close communication with the trades to minimize such impact.

9. The Administration advised that while some overseas jurisdictions had prohibited the sale of PCCPs containing microbeads by legislative means, some others (such as Australia and the Netherlands) had taken a voluntary approach. In the case of Australia, with the introduction of a voluntary phase-out programme in 2017, about 97% of PCCPs in the Australian market were free of microbeads at present. As observed, most PCCPs in Hong Kong were imported from many places that had already adopted different means and scope of banning the use of microbeads in their products. Meanwhile, some retailers had started to cease the sale of PCCPs containing microbeads or gradually reduce their stock of these products. Some multinational companies and unions had even pledged and taken voluntary actions to phase out microbeads and replace them with natural alternatives such as salt crystals and nut shells in their products. As such, there had been an increasing variety of microbead-free products in the market and it was expected that the Voluntary Scheme would yield positive results in reducing the quantity of microbead-containing products in the market.

10. The Administration supplemented that it would take time to pursue a regulatory approach, which would involve formulation of legislative scope, establishment of testing standards, and consultation with stakeholders, etc. To keep pace with the international trend of eliminating products containing microbeads early, introducing the Voluntary Scheme was considered an appropriate transitional arrangement. The Administration would review the effectiveness of the Voluntary Scheme to ascertain the need for further tightening the control. In the meantime, the Environmental Protection Department ("EPD") had employed market investigators under the "Green Employment Scheme" of the Environment Bureau to gain better understanding of the prevailing situation of the sale of PCCPs containing microbeads at retail market and to collect relevant information for assessing the local phase-out rate of PCCPs containing microbeads.

11. As regards the potential impact on the relevant trades, the Administration advised that participants could join the Charter in multiple ways having regard to their business modes. EPD had briefed the trades in 2020 on the draft plan of the Charter and received positive responses. EPD was consolidating and analyzing the trades' views with a view to further enhancing the design of the Voluntary Scheme. Addressing the concern of the small and medium-sized retailers in ceasing the sale of products containing microbeads, the

Administration would assist them in obtaining reliable product information from manufacturers and importers.

Publicity and education

12. Members considered public support and participation crucial to the success of the Voluntary Scheme. They urged the Administration to step up education of the public on the impact of microbeads on the ecosystem and encourage them to reduce buying and using products containing microbeads.

13. The Administration advised that to complement the implementation of the Voluntary Scheme, publicity and educational activities would be conducted to enhance the public's understanding of microbead-related subjects. For example, EPD planned to design interactive online games and make use of different social media platforms to introduce basic information on microbeads to the public. The Administration would also organize workshops to provide training to staff of the Voluntary Scheme participants so that they could convey accurate and appropriate microbead-related information to consumers.

Council questions

14. Members raised questions about the management of microplastics at various Council meetings in the Sixth LegCo. The questions and the Administration's replies are hyperlinked in the **Appendix**.

Latest development

15. At the meeting on 24 May 2021, the Administration will update EA Panel on the progress of the Government's work for implementing the Voluntary Scheme.

Relevant papers

16. A list of relevant papers is set out in the **Appendix**.

**Voluntary Scheme for Phasing Out
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List of relevant papers

Date of meeting	Event	Paper
24 November 2017	Letter from Hon KWOK Wai-keung on the regulation of the manufacturing and sale of products containing microplastics in Hong Kong	Letter dated 24 November 2017 from Hon KWOK Wai-keung on the regulation of the manufacturing and sale of products containing microplastics in Hong Kong (Chinese version only) (LC Paper No. CB(1)281/17-18(01)) Administration's response to the letter from Hon KWOK Wai-keung (LC Paper No. CB(1)360/17-18(01))
17 April 2018	Special meeting of the Finance Committee ("FC") for examination of Estimates of Expenditure 2018-2019	Written question raised by Member and the Administration's reply (Reply serial number: ENB099)
9 April 2019	Special meeting of FC for examination of Estimates of Expenditure 2019-2020	Written questions raised by Members and the Administration's replies (Reply serial numbers: ENB119 , 275 and 341)
28 October 2019	Policy briefing cum meeting of the Panel on Environmental Affairs ("EA Panel")	Administration's paper on "2019 Policy Address - Policy initiatives of Environment Bureau: Environmental protection" (LC Paper No. CB(1)31/19-20(03)) Minutes of meeting (LC Paper No. CB(1)251/19-20)

Date of meeting	Event	Paper
6 April 2020	Special meeting of FC for examination of Estimates of Expenditure 2020-2021	Written questions raised by Members and the Administration's replies (Reply serial numbers: ENB042, 082, 102)
25 May 2020	Meeting of EA Panel	Administration's paper on "Management of waste plastics" (LC Paper No. CB(1)655/19-20(03)) Background brief on "Management of waste plastics" prepared by the Legislative Council Secretariat (LC Paper No. CB(1)655/19-20(04)) Administration's follow-up paper (LC Paper No. CB(1)857/19-20(02)) Minutes of meeting (LC Paper No. CB(1)932/19-20)
25 January 2021	Meeting of EA Panel by videoconferencing	Minutes of meeting (LC Paper No. CB(1)670/20-21)
13 April 2021	Special meeting of FC for examination of Estimates of Expenditure 2021-2022	Written question raised by Member and the Administration's reply (Reply serial number: ENB074)

Other relevant document:

Government department	Document
Environmental Protection Department	Wholesale and Retail Task Force Paper 64 - Voluntary Scheme for Phasing Out Personal Care and Cosmetic Products Containing Microbeads

Hyperlinks to relevant Council questions:

Date	Council Question
22 November 2017	Press release on Council question (oral) on impacts of microplastics on the ecosystem and human health
9 May 2018	Press release on Council question (written) on disposable plastic tableware
21 November 2018	Press release on Council question (written) on impacts of microplastics on the ecosystem and human health
17 April 2019	Press release on Council question (written) on microplastics and waste plastics causing environmental problems
11 December 2019	Press release on Council question (written) on regulation of products containing microbeads