

Report on	Authorisation of EHOs for Micro Beads legislation
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Is this report restricted for confidential business? If 'Yes', confirm below the exempt information category relied upon	Yes	
	No	X

1.0	Purpose of Report
1.1	To update Committee following receipt of request from the Department of Agriculture, Environment and Rural Affairs (DAERA) regarding the designation of Environmental Health Officers as "authorised persons" for the purposes of enforcing legislation to ban the manufacture and sale of rinse-off cosmetic products containing plastic micro-beads.
2.0	Background
2.1	Microbeads are tiny pieces of plastic, which are added to products such as shower gels, toothpaste and face scrubs. These are then washed down the drain and are deposited in the marine environment. The ban is good news for the environment as it signals that government is serious about tackling the problem of marine plastic pollution.
2.2	There has been growing media and public concern over the global problem of plastic pollution in the marine environment. The Westminster Environmental Audit Committee published two reports on its inquiry into disposable packaging; Plastic Bottles: Turning Back the Plastic Tide published Friday 22 December 2017 and the Disposable Packaging: Coffee Cups published on Friday 5 January 2018 which have generated substantial media interest. Public interest in the problem of marine plastic pollution has also been heightened by the recent BBC Blue Planet II programme.
2.3	DAERA is supporting a UK-wide project to ban the manufacture and sale of cosmetic products containing microbeads. The ban on the manufacture in England became effective from 9 January. This will be followed by the ban on the sale of rinse-off cosmetic products containing microbeads becoming effective on 19th June 2018. Scotland and Wales expect to introduce both bans by July 2018, pending the outcome of consultation, EU notification processes and legislative procedures.

3.0	Main Report
3.1	In Northern Ireland, it is proposed to introduce both bans later in 2018 using powers contained at Article 32 of the Waste and Contaminated Land (Northern Ireland) Order 1997.
3.2	Engagement with the Cosmetic, Toiletry and Perfumery Association suggests that all companies contacted in a 2016 survey had stopped manufacturing rinse-off cosmetic products containing plastic microbeads ahead of the ban in England commencing on 9 January 2018. The companies either have no stocks remaining or were confident that stocks would be exhausted by July 2018.
3.3	It is anticipated that the effort associated with enforcing the legislation should be of a limited nature in Northern Ireland, where market intelligence suggests that there are no manufacturers using plastic microbeads.
3.4	In Northern Ireland, Regulation (EC) No 1223/2009 on cosmetic product ingredients are enforced by council Environmental Health Officers as part of the consumer protection function. There are 1379 substances that are currently banned from cosmetics, and a further 296 substances that are restricted. District Councils have good intelligence of the manufacturers, importers and distributors. Research undertaken across Council areas in NI suggests that there are no business using or distributing cosmetic products containing microbeads.
3.5	The issue was also raised regionally with Environmental Health Northern Ireland (EHNI) and Officers were content that the activity or actions required would be minimal in nature.
4.0	Other Considerations
4.1	<u>Financial & Human Resources Implications</u> Financial: None Human: Existing staff.
4.2	<u>Equality and Good Relations Implications</u> N/a
4.3	<u>Risk Management Implications</u> N/a
5.0	Recommendation(s)
5.1	That members confirm the authorisation of Environmental Health staff for the purposes of Micro Bead regulation under the scheme of delegation to the Director of Public Health and Infrastructure .
6.0	Documents Attached & References
	None