

Microbeads

In the guide

Products covered by the ban

Identifying whether microbeads are contained in products

Other requirements for personal care products

Penalties

Key legislation

This guidance is for England, Scotland & Wales

The Environmental Protection (Microbeads) (England) Regulations 2017 (and the equivalent regulations for Scotland and Wales) prohibit the manufacture and sale of rinse-off personal care products containing plastic microbeads.

The Regulations have been introduced to reduce plastic pollution in the oceans. The pieces of plastic used as microbeads are washed down the drain after use and cannot be filtered out by many wastewater treatment plants. Therefore they easily enter and pollute waterways. Although microbeads only represent a small proportion of the plastic waste in the ocean, fish and other marine animals can eat them (because of their size), introducing potentially toxic substances into the food chain.

According to a report by the Environmental Audit Committee, a single shower can flush as many as 100,000 microbeads, with this adding up to 86 tonnes per year from the UK alone.

Products covered by the ban

A 'microbead' is defined in the Regulations as "any water-insoluble solid plastic particle of less than or equal to 5 mm in any dimension".

Microbeads are commonly added to cosmetic products for exfoliating and cleansing purposes but the restriction applies to their use for any purpose. They can often be found in products such as shower gel, body wash, bath foams, bath bombs, shampoos and conditioners, scrubs, face washes, and exfoliators.

The ban only applies to plastic microbeads. The Regulations define 'plastic' as "a synthetic polymeric substance that can be moulded, extruded or physically manipulated into various solid forms and that retains its final manufactured shape during use in its intended applications".

There are other compounds used in microbeads that are not solid and water insoluble. These can still be used legally in rinse-off personal care products.

A 'rinse-off personal care product' is defined in the Regulations as "any substance, or mixture of

substances, manufactured for the purpose of being applied to any relevant human body part in the course of any personal care treatment, by an application which entails at its completion the prompt and specific removal of the product (or any residue of the product) by washing or rinsing with water, rather than leaving it to wear off or wash off, or be absorbed or shed, in the course of time".

This reference to "relevant human body part" includes any external part of the human body (including any part of the epidermis, hair system, nails or lips), the teeth and mucous membranes of the oral cavity.

Identifying whether microbeads are contained in products

Although the ban covers plastic microbeads up to 5 mm in dimension, many are much smaller than this and it can be difficult to identify them and determine what compounds they contain.

Products containing microbeads have a granular appearance and larger microbeads can be seen with the naked eye and felt by the texture of the product between the fingers. Smaller microbeads are more difficult to see and feel, and it is not usually possible to determine whether the microbeads are plastic or legally permitted soluble alternatives.

The ingredients list can be useful to identify the presence of plastics such as polyethylene and polyethylene terephthalate, which are common ingredients of plastic microbeads. The product information file (PIF) should also contain information about the presence of microbeads. All cosmetic products must have a PIF, so distributors and retailers may request this information from the manufacturer.

Other requirements for personal care products

See 'Cosmetic products' for more information about the composition, testing and labelling requirements etc for these products.

Penalties

Failure to comply with trading standards law can lead to enforcement action and to sanctions, which may include a fine and/or imprisonment. For more information please see 'Trading standards: powers, enforcement & penalties'.

Key legislation

Environmental Protection (Microbeads) (England) Regulations 2017

Environmental Protection (Microbeads) (Scotland) Regulations 2018

Environmental Protection (Microbeads) (Wales) Regulations 2018

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Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the

law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on amendments to legislation can be found on each link's 'More Resources' tab.

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