

General Explanation of Revised Draft of Restrictions on the Manufacture, Import, and Sale of Personal Care and Cosmetics Products Containing Plastic Microbeads

The implementation of the "Restrictions on the Manufacture, Import, and Sale of Personal Care and Cosmetics Products Containing Plastic Microbeads" (herein referred to as this Announcement) drafted and announced by the Environmental Protection Administration, Executive Yuan on August 3, 2017 has been highly effective in protecting the environment and reducing the consumer-end use of products containing plastic microbeads. However, in practical management, the non-natural polymers added in some manufacturers' formulas do not decompose readily after entering the sea. In order to realize the environmentally friendly goals of this Announcement, the revised draft in this Announcement has been drawn up after referring to Sweden's restrictive regulations on plastic microbeads in personal care and cosmetics products. Key revisions are as follows:

- I. This Announcement stipulates that particles of non-natural polymers such as solid synthetic waxes constitute plastic microbeads, and adds the definition of natural polymers. (revised announcement item 1)
- II. Addition of personal care and cosmetics products containing particles of non-natural polymers such as solid synthetic waxes; manufacturers and importers may not manufacture or import such products as of September 1, 2019, and vendors may not sell such products as of March 1, 2020. (revised announcement item 3)

Comparative Table of Revisions in Revised Draft Announcement of Restrictions on the Manufacture, Import, and Sale of Personal Care and Cosmetics Products Containing Plastic Microbeads

Announcement	Announcement Currently in Force	Explanation
<p>Subject: <u>Except when other effective date has been specified, the revised "Restrictions on the Manufacture, Import, and Sale of Personal Care and Cosmetics Products Containing Plastic Microbeads" shall take effect immediately.</u></p>	<p>Subject: The "Restrictions on the Manufacture, Import, and Sale of Personal Care and Cosmetics Products Containing Plastic Microbeads" with the provisions of sale of Item II taking effect from July 1, 2018, and the remaining provisions taking effect from January 1, 2018.</p>	<p>Revised effective date.</p>
<p>Basis: Article 21, <i>Waste Disposal Act</i></p>	<p>Basis: Article 21, <i>Waste Disposal Act</i></p>	<p>Basis not revised.</p>
<p>Announced items:</p> <p>I. Terms used in this Official Announcement are defined as follows:</p> <p>A. "Cosmetics" refers to personal care and cosmetics products specified in the <u><i>Cosmetic Hygiene and Safety Act</i></u>.</p> <p>B. "Personal care products" means those products used for cleaning one's body, and which must be cleaned off or rinsed off with water after use.</p> <p>C. "Facial scrub" means those preparations in liquid, paste, cream, or gel form containing microbeads and used for the functions of skin exfoliation or cleaning.</p> <p>D. "Toothpaste" means products generally used to protect the surface of people's teeth and surrounding tissue, specifically semi-solid or powder blended products that</p>	<p>Announced items:</p> <p>I. Terms used in this Official Announcement are defined as follows:</p> <p>A. "Cosmetics" means those products termed cosmetics in the <i>Statute for Control of Cosmetic Hygiene</i>.</p> <p>B. "Personal care products" means those products used for cleaning one's body, and which must be cleaned off or rinsed off with water after use.</p> <p>C. "Facial scrub" means those preparations in liquid, paste, cream, or gel form containing microbeads and used for the functions of skin exfoliation or cleaning.</p> <p>D. "Toothpaste" means products generally used to protect the surface of people's teeth and surrounding tissue, specifically semi-solid or powder blended products that take the form of a paste,</p>	<p>I. Revised in accordance with the <i>Cosmetic Hygiene and Safety Act</i> in order to adjust statutory names. Revised announcement item 1 (1).</p> <p>II. To achieve the goal of environmentally friendliness, after referring to the plastic microbead control regulations of Sweden, it is specified that, because they do not constitute natural polymers, polymer particles made of solid synthetic waxes, etc. used for exfoliation or cleaning and having a scope of particle diameter smaller than 5mm constitute plastic microbeads and are subject to control. Revised announcement item 1 (5).</p> <p>III. In reference to Sweden's control approach, the definition of natural polymers is specified. Announcement item 1 (6) has been added. The remaining subparagraphs have been</p>

<p>take the form of a paste, cream, or gel.</p> <p>E. "Plastic microbeads":</p> <p><u>(A) means solid plastic particles used for exfoliation or cleaning of the body wherein the scope of particles diameter is smaller than 5 mm, and the material of which they are made includes biodegradable plastic.</u></p> <p><u>(B) Refers to polymer particles made of solid synthetic waxes, etc. used for exfoliation or cleaning wherein the scope of particle diameter is smaller than 5mm. However, does not contain natural polymers.</u></p> <p>F. <u>Natural polymers: Refers to polymers existing naturally in the environment, and are substances with chemical structures that will not change when subjected to chemical processes or treatments, or physical mineralogical transformations.</u></p> <p>G. "Manufacturer" means an enterprise that engages in the manufacture of personal care or cosmetics products.</p> <p>H. "Importer" means a business that engages in the importation of personal care or cosmetics products.</p> <p>I. "Vendor" means a business that engages in the sale (including wholesaling, retailing, or presentation as gifts or prizes, etc.) of personal care or cosmetics products.</p>	<p>cream, or gel.</p> <p>E. "Plastic microbeads" means solid plastic particles used for exfoliation or cleaning of the body wherein the scope of particles diameter is smaller than 5 mm, and the material of which they are made includes biodegradable plastic.</p> <p>F. "Manufacturer" means an enterprise that engages in the manufacture of personal care or cosmetics products.</p> <p>G. "Importer" means a business that engages in the importation of personal care or cosmetics products.</p> <p>H. "Vendor" means a business that engages in the sale (including wholesaling, retailing, or presentation as gifts or prizes, etc.) of personal care or cosmetics products.</p>	<p>sequentially moved.</p>
<p>II. Apart from those enterprises already manufacturing or importing the following cosmetic and personal care</p>	<p>II. Apart from those enterprises already manufacturing or importing the following cosmetic and personal care</p>	<p>Revised in accordance with the <i>Cosmetic Hygiene and Safety Act</i> in order to adjust statutory names. Revised announcement</p>

<p>products containing plastic microbeads as of August 23, 2016, manufacturers, importers, and vendors may not manufacture, import, or sell such products:</p> <p>A. In accordance with relevant regulations of the <i>Cosmetic Hygiene and Safety Act</i>, referred to as personal care products used for washing hair, personal care products used for face washing and makeup removal, personal care products used for bathing, and soaps.</p> <p>B. Facial scrub.</p> <p>C. Toothpaste.</p>	<p>products containing plastic microbeads as of August 23, 2016, manufacturers, importers, and vendors may not manufacture, import, or sell such products:</p> <p>A. Cosmetics used for washing hair, cosmetics used for bathing, cosmetics used for face-washing, and soap as defined in relevant provisions of the <i>Statute for Control of Cosmetic Hygiene</i>.</p> <p>B. Facial scrub.</p> <p>C. Toothpaste.</p>	<p>item 2 (1).</p>
<p>III. The plastic microbeads contained in the personal care and cosmetics products in the foregoing paragraph are subject to the requirements of announcement item 1 (5) 2, wherein manufacturers and importers may not manufacture or import such products as of September 1, 2019, and vendors may not sell such products as of March 1, 2020.</p>		<p>I. This paragraph has been added.</p> <p>II. In conjunction with the stipulation of announcement item 1 (5) 2, the following has been included: personal care and cosmetics products containing plastic microbeads such as polymer particles of solid synthetic waxes, etc., but not containing natural polymers; Manufacture, import, and sale restriction schedules.</p>
<p>IV. The competent authority may dispatch personnel (carrying identification documents) to enter manufacturer's, importer's or vendor's premises to inspect the manufacturing, importation or vending of the foregoing personal care or cosmetics products , and may request each product and relevant information, and the manufacturer, importer or vendor may not refuse, seek to evade, or obstruct such inspection.</p>	<p>III. The competent authority may dispatch personnel (carrying identification documents) to enter manufacturer's, importer's or vendor's premises to inspect the manufacturing, importation or vending of the foregoing personal care or cosmetics products , and may request each product and relevant information, and the manufacturer, importer or vendor may not refuse, seek to evade, or obstruct such inspection.</p>	<p>Revision of paragraph order.</p>
<p>V. When the competent authority's random inspection and testing of personal care</p>	<p>IV. When the competent authority's random inspection and testing of personal care and cosmetics</p>	<p>Revision of page order.</p>

<p>and cosmetics products whose manufacture, import, or sale is restricted finds the presence of plastic microbeads, the competent authority may require the manufacturer, importer, or to remove the products from sale, recall the products, or return the products within a specified time limit.</p>	<p>products whose manufacture, import, or sale is restricted finds the presence of plastic microbeads, the competent authority may require the manufacturer, importer, or to remove the products from sale, recall the products, or return the products within a specified time limit.</p>	
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