

TESTIMONY OF
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BEFORE THE U.S. HOUSE COMMITTEE ON ENERGY AND COMMERCE
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Chairman Pitts, Ranking Member Green, Chairman Upton, Ranking Member Pallone, and members of the Committee, thank you for the opportunity to testify in support of discontinuing the use of plastic microbeads in personal care cleansing products and specifically to address H.R. 1321, the Microbead-Free Waters Act.

The Personal Care Products Council is the leading trade association representing approximately 600 large, medium and small sized companies that manufacture and distribute the vast majority of cosmetic and personal care products marketed in the U.S. As makers of a diverse range of products that consumers trust and rely on every day, from sunscreen, shampoo and toothpaste to moisturizer, lipstick and fragrance, personal care products companies are global leaders committed to safety, quality and innovation.

The American cosmetics industry employs more than 2.8 million people nationwide with more than \$260 billion in global annual sales. Our industry is dynamic, and continuously develops innovative products to meet consumer demands and expectations. Our member companies invest more than \$3.6 billion each year on scientific research and development. As a result of this research, 2,000 new products are launched each year, and numerous scientific studies are published on enhancing or developing new safety methods.

Equally important, is that our industry shares a common interest with other stakeholders in protecting the environment, and our members take questions regarding the presence of microbeads in our waterways very seriously. Our industry has a long standing commitment to the global environmental stewardship of its products.

Historically, plastic microbeads have been used in some personal care cleansing products because of their safe and effective exfoliating properties. These plastic beads have an excellent health and safety profile, do not present adverse events such as allergic reactions, are gentle on the skin, especially for consumers with sensitive skin conditions, and are inert.

Over the last five years, numerous reports in the press and some scientific literature have indicated the occurrence of plastic microbeads in our oceans, lakes, and beaches. It should be noted that the sources of these plastic microbeads are varied and difficult to ascertain. These may include clothing fibers, boat paint particles, degrading plastic bags and bottles, in addition to personal care products. However, out of an abundance of caution and despite the absence of any peer-reviewed science on the contribution from personal care products to plastic microbeads in the aquatic environment, our member companies have committed to discontinue formulating products with plastic microbeads in favor of other viable alternatives.

While we do support the discontinued use of plastic microbeads, it is important to recognize that product reformulation is an extremely complex process. Various and necessary steps include raw materials research and development, product testing and qualification, ensuring that safety and regulatory requirements are met, manufacturing, and post market surveillance for continual evaluation – this can take many years. Furthermore, because of our commitment to the safety of

our products, we must ensure that the alternative ingredient will not cause unintended consequences and will meet our consumers' safety and product needs.

In 2014, a wide range of environmental, government and business stakeholders came together in the state of Illinois to negotiate legislation to phase out plastic microbeads. All stakeholders supported the bill, which passed both houses unanimously and was signed into law in June of last year. New Jersey, Maine, Indiana and Colorado have enacted similar legislation, and the Council of State Governments has adopted the Illinois law as suggested model legislation.

Our industry supports federal plastic microbeads legislation establishing a national uniform standard that provides certainty for both consumers and businesses, by setting appropriate and pragmatic phase out dates, appropriate definitions of synthetic plastic microbeads, and inclusion of over the counter drugs containing plastic microbeads.

It is especially important to carefully define synthetic plastic microbeads in the statute to avoid inadvertently prohibiting the use of natural alternatives and to make sure the prohibition provides clear direction to companies regarding reformulation. The dates for prohibition of manufacture and sell through of both personal care products and OTC products are also critical to assure a level playing field for both large and small companies as they reformulate.

With the right policy framework, we can remain an innovative industry providing our consumers with the safest, high quality products they expect and deserve while also doing our role to continue to protect the environment.

Thank you again for the opportunity to be here today. On behalf of the members of the Personal Care Products Council, we look forward to working with the Committee on this legislation.