

3. What are the pros and cons for criteria and lists of targeted chemicals and polymers being set globally versus at the national level?
4. What provisions should be voluntary and what provisions should be legally binding?
5. What specific chemicals or polymers used in plastics should be addressed or excluded from the Treaty (for example, there might not yet be suitable alternatives)?
6. What are your views on improved disclosure requirements for chemicals and polymers in plastics?
7. Is there anything else you want to discuss today or any resources/research you want to share with the group?

The United Nations Environment Programme released a technical report on the state of knowledge on chemicals in plastics, which may be useful for your reference. Please find the link to this report [here](#).

We look forward to seeing you there. Please reach out if you have any questions.

Ngā mihi, nā

Whitney Nelson (she/her)

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

Waste Streams and Plastics Policy | Te Kaupapa Here Mō Ngā Nekehanga Para

Waste Systems | Te Rōpu Ngā Pūnaha Para

Ministry for the Environment | Manatū Mō Te Taiao

whitney.nelson@mfe.govt.nz | environment.govt.nz

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From: Whitney Nelson

Sent: Monday, June 10, 2024 5:14 PM

To: s 9(2)(a)

A large grey rectangular area redacting the main body of the email.

s 9(2)(a)

Cc: Daisy Croft <Daisy.Croft@mfe.govt.nz>

Subject: Invitation to roundtable discussion on chemicals and polymers of concern for the UN Global Plastics Treaty

Kia ora koutou,

The fourth round of negotiations (INC4) for the UN Global Plastics Treaty took place in April. As we look towards the fifth round of negotiations (INC5) in November 2024, we would like to invite you to a roundtable discussion on topics that may be of interest to you.

The first roundtable will be focused **chemicals and polymers of concern in plastics**. This relates to Part 2 of the draft treaty text; you can find the relevant section [here](#): pages 3-6.

The roundtable is to discuss our stakeholders' perspectives and identify common or diverging views or interests. We would also like to give you the opportunity to learn more about the treaty-making process, as well as build connections with others. If our stakeholders find the session valuable, we may hold further roundtables on other topics over the coming months, in the lead-up to INC5.

We have sent this invitation to people and organisations who have shown interest in the treaty negotiations (or other stakeholders may have recommended we include you!). Please let us know if you think anyone is missing. You may also forward this onto someone else within your organisation who is best placed to attend.

At INC4 in April, countries worked on streamlining a (previously very expansive) text. Countries also agreed to establish two expert groups to work ahead of INC-5. You can read more about the groups' work [here](#). One of the topics for the expert groups to consider is chemicals and polymers of concern. This is why we have selected this topic for the first roundtable.

If you are interested in attending, please let us know your availability to attend on either Monday 24 June, 3 – 4:30pm or Tuesday 25 June, 1:30 – 3pm by voting your preference [here](#).

We'll include final details in the meeting invitation, along with questions that we will use to guide the discussion.

For more information on the treaty, please see [our webpage](#), though please note we are currently working on updating this with our revised Cabinet mandate.

We look forward to your response. Please reach out if you have any questions.

Ngā mihi, nā,

Whitney Nelson (she/her)

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

Waste Streams and Plastics Policy | Te Kaupapa Here Mō Ngā Nekehanga Para


Waste Systems | Te Rōpu Ngā Pūnaha Para

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Ashleigh Watson

From: Whitney Nelson
Sent: Tuesday, 9 July 2024 4:35 pm
To: s 9(2)(a); Peter Day; Peter Dawson; Matthew Allen; Louise.mcmillan@epa.govt.nz; s 9(2)(a)

Cc: KAY, Richard (CAE; YAP, Renee (CAE; Daisy Croft; Shaun Lewis; SIATAGA, Talia (LGL
Subject: Roundtable discussion summary and feedback survey
Attachments: Summary of roundtable discussion on chemicals and polymers of concern.pdf

Kia ora koutou,

Thank you all for joining us for the roundtable discussion on 25 July.

We want to thank you for your time preparing for and participating in the discussion. It was great to hear the range of views in the virtual room. We hope you also found the discussion useful.

Please find a summary of the discussion attached. Please let me know if there is anything we have missed or misinterpreted.

We appreciate any feedback you have for us and would also like to know if you are interested in future roundtable discussions on different topics. You can provide this through the survey [here](#). If there is interest, we would like to host more roundtable discussions in the next few months in advance of intersessional work beginning in August, and INC5 in November.

Ngā mihi, nā

Whitney Nelson (she/her)

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

Waste Streams and Plastics Policy | Te Kaupapa Here Mō Ngā Nekehanga Para

Waste Systems | Te Rōpu Ngā Pūnaha Para

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Summary of discussion – Roundtable discussion on chemicals and polymers of concern

Tuesday 25 June

Question 1: What gap could this treaty fill in addressing chemicals or polymers of concern in plastics?

There were mixed views on whether an international plastics treaty is the right place for the regulation of chemicals in plastics. However, there was broad agreement that chemicals of concern exist in a range of materials, not just plastics.

One view shared was that only a small portion of the chemicals found in plastics are regulated in other MEAs, and so chemicals in plastics should be regulated through this treaty. Most participants agreed there should also be flexibility to link with other global initiatives to allow the management of chemicals in other materials too.

Another view shared was that there are other MEAs that are more appropriate to handle chemicals of concern in plastics. Some shared the concern that this treaty could create a bias against plastics, when these chemicals are also used in other products/industries. Similarly, the risk of unintended consequences of moving to alternative materials was raised.

It was mentioned that the UNEP technical report of the state of knowledge in plastics identified over 16,000 chemicals used in plastics, and that 1 to 4% of these chemicals are regulated globally. There was disagreement with this statistic, and that there are only about 4,000 to 6,000 chemicals in active use in plastics (with information still to be gathered on this by global plastic producers).

Question 2: What criteria should guide decisions on chemicals or polymers to be addressed (for example: harm to human health, environmental health, impact on recyclability?)

There were mixed views on whether or not chemicals management should adopt a hazard-based approach or a risk-based approach.

One view shared was that there needs to be a hazard-based approach to developing criteria for chemicals and polymers of concern. Another view shared was that a risk-based approach would be more appropriate.

There was some discussion about a positive-list approach (or an inclusive framework), rather than banning or restricting certain chemicals. New chemicals would be required to be registered and approved before use. A positive list would ensure a precautionary approach is taken, particularly where it is challenging to assess toxicity. There was a suggestion that chemicals on a positive list could be required to comply with EU chemicals strategy for sustainability, and that the list would be open and adaptive to the latest and best available science. Some shared the need for any chemicals management to consider essentiality. Essentiality or the essential use concept is intended to limit the use of the most harmful chemicals to situations where they can be demonstrated to be necessary for health and safety or to serve an essential function to society.

There was also some discussion about a risk-based scientific approach (as opposed to the hazard-based, positive list suggestions above). It was noted that the implementation of a positive list, approval-based system may be difficult (i.e. compliance, testing). There was some concern that targeted lists do not consider application or use, and any chemicals management would therefore need to look at the

context of where and how the chemical is used rather than just target the chemical itself. Again, the point around managing chemicals across industries and materials (not just plastics) was raised.

Question 3: What are the pros and cons for criteria and lists of targeted chemicals and polymers being set globally versus at the national level?

There was general agreement that criteria and lists of targeted chemicals and polymers should be developed at a global level, and that criteria should include application or essentiality of the chemical or polymer of concern.

Multiple views were shared supporting criteria and lists of targeted chemicals to be developed at a global level. Reasons for this included that global criteria and lists would:

- create a level playing field for NZ manufacturers
- be more protective for NZ local markets
- provide clear global signaling for investments into research and development, and
- would be particularly useful when it comes to protecting human health and environmental harm.

There was a point raised that any criteria or lists need to consider where and how the chemical or polymer of concern is used.

There was a point raised that legally binding global standards would not be effective unless they are associated with reporting compliance and enforcement measures.

Question 4: What provisions should be voluntary or legally binding?

There was general agreement that provisions should be legally binding, rather than voluntary.

There was broad agreement that provisions should be legally binding. Many commented that legally binding rules will drive change and that voluntary measures in existing frameworks are not effective. Another view was shared that some provisions could be voluntary so there is the ability to go above and beyond what the provision requires.

One view shared was that regardless of whether provisions are voluntary or legally binding, they will likely have minimal difference on local industry because raw plastics materials are imported to NZ. It was noted that we need to make sure NZ's implementation of any legally binding provisions does not place high costs and barriers for our local manufacturers and exporters.

There was discussion on how any legally binding provisions would be enforced, because we receive raw plastics materials from other countries. It was shared that the policing of imported plastics to NZ may be hard to implement as customs data currently assesses imports as items rather than the material they are made from. There was agreement that there would be a need for transparency and traceability for these global standards.

Ashleigh Watson

Subject: Roundtable discussion - Problematic and avoidable plastic products, including microplastics
Location: Microsoft Teams Meeting

Start: Wed 24/07/2024 2:00 pm
End: Wed 24/07/2024 4:00 pm
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Whitney Nelson

Required Attendees YAP, Renee (CAE; KAY, Richard (CAE; SIATAGA, Talia (LGL; Victoria Hallum [EXTERNAL] (MFAT); s 9(2)(a)

[Redacted]

Peter Day; Peter Dawson; Matthew Allen;

Louise.mcmillan@epa.govt.nz; s 9(2)(a)

[Redacted]

Kia ora koutou,

We invite you to join us for a roundtable discussion on **problematic and avoidable plastic products, including microplastics**, in relation to the UN Global Plastics Treaty.

This relates to Part 2, Section 3 of the draft treaty compilation text; you can find the relevant section [here](#) on pages 17-20.

The roundtable is to discuss our stakeholders' perspectives and identify common or diverging views or interests. We would also like to give you the opportunity to learn more about the treaty-making process, as well as build connections with others.

We have sent this invitation to people and organisations who have shown interest in the treaty negotiations (or other stakeholders may have recommended we include you!). Please let us know if you think anyone is missing. You may also forward this onto someone else within your organisation who is best placed to attend.

The agenda for the roundtable is planned as follows:

- Introductions

- MfE presentation on background of Treaty and INC4 updates
- Discussion questions
- Wrap up and Next steps

The discussion questions used to guide the roundtable will be updated here no later than Wednesday 17 July.

We look forward to seeing you there. Please reach out if you have any questions.

Ngā mihi, nā
Whitney

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Ministry for the Environment

Ashleigh Watson

From: Whitney Nelson
Sent: Wednesday, 17 July 2024 3:52 pm
To: s 9(2)(a)
Peter Day; Peter Dawson;
Matthew Allen; Louise.mcmillan@epa.govt.nz; s 9(2)(a)

Cc: YAP, Renee (CAE; KAY, Richard (CAE; SIATAGA, Talia (LGL; HALLUM, Victoria (DS MLG); Shaun Lewis; Daisy Croft

Subject: Roundtable discussion questions and confirmed attendees for 24 July

Kia ora koutou,

Please find below the discussion questions for the roundtable on problematic and avoidable plastics next week on 24 July.

1. What criteria should guide decisions on problematic and avoidable plastic products to be addressed? (for example: reusability, recyclability, whether it is commonly littered, life-cycle assessment of alternatives, avoidability)
 - a. Problematic criteria
 - b. Avoidable criteria
2. What are your views on whether criteria and/or lists for addressing problematic and avoidable plastic products should be set at the global vs national level?
3. What specific plastic products should be addressed by the treaty, or excluded from the treaty?
4. There is some support in negotiations for reducing or eliminating intentionally added microplastics. What sectors or products are not ready to move away from microplastics? What exemptions may be needed?
5. What are your views on ways to address non-intentionally added microplastics (e.g. from wear and tear – textiles, tyres)?

For your awareness, please find below a list of those who have confirmed they will be attending. Please let me know if I have missed anyone or have made any errors in the list below.

Confirmed attendees for roundtable discussion:

- EPA – Peter Day, Matthew Allen, Lousie McMillan
- TWC s 9(2)(a)
- Goodman Fielder s 9(2)(a)
- Plastics NZ s 9(2)(a)
- Scion s 9(2)(a)
- Fonterra s 9(2)(a)
- Scientist Coalition s 9(2)(a)
- Aliaxis s 9(2)(a)
- The Packaging Forum s 9(2)(a)
- Tātaki Auckland Unlimited s 9(2)(a)
- New Zealand Paint Manufactures Association & Carbo Line s 9(2)(a)
- Composites Association of NZ (CANZ) s 9(2)(a)
- Campbell Composites and CANZ s 9(2)(a)
- Armatec s 9(2)(a)
- New Zealand Product Stewardship Council s 9(2)(a)
- Massey University s 9(2)(a)
- Agrecovery s 9(2)(a)
- Cosmetics NZ s 9(2)(a)
- Association of Rotational Moulders Australasia Ltd s 9(2)(a) ose
- NZ Post s 9(2)(a)
- Sustainable Coastlines s 9(2)(a)
- Plassheet s 9(2)(a)
- Re Group s 9(2)(a)
- Ecostore s 9(2)(a)
- KCC s 9(2)(a)
- Biopak s 9(2)(a)
- Future Post s 9(2)(a)
- Retail Kiwi

Note: this should be "Reuse Aotearoa"

We look forward to seeing you next week.

Ngā mihi, nā

Whitney Nelson (she/her)

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

Waste Streams and Plastics Policy | Te Kaupapa Here Mō Ngā Nekehanga Para


Waste Systems | Te Rōpu Ngā Pūnaha Para

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Ashleigh Watson

From: Whitney Nelson
Sent: Tuesday, 13 August 2024 4:07 pm
To: s 9(2)(a) Peter Day; Peter Dawson; Matthew Allen; Louise.mcmillan@epa.govt.nz; s 9(2)(a)
Cc: Daisy Croft; Shaun Lewis; YAP, Renee (CAE; KAY, Richard (CAE; SIATAGA, Talia (LGL
Subject: Discussion summary - roundtable discussion on problematic and avoidable plastic products, including microplastics
Attachments: Summary of discussion – Roundtable discussion on problematic.pdf

Kia ora koutou,

Please find attached the discussion summary for the roundtable discussion on problematic and avoidable plastic products, including microplastics.

Thank you all for your attendance and contributions.

Ngā mihi nā

Whitney Nelson (she/her)

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

Waste Streams and Plastics Policy | Te Kaupapa Here Mō Ngā Nekehanga Para

Waste Systems | Te Rōpu Ngā Pūnaha Para

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Summary of discussion – Roundtable discussion on problematic and avoidable plastic products, including microplastics.

Wednesday 24 July

List of attendees

EPA – Peter Day, Matthew Allen, Louise McMillan, Peter Dawson

TWC s 9(2)(a)

Goodman Fielder s 9(2)(a)

Plastics NZs 9(2)(a)

Scion s 9(2)(a)

Fonterra s 9(2)(a)

Scientist Coalition – s 9(2)(a)

Aliaxis s 9(2)(a)

The Packaging Forum s 9(2)(a)

Composites Association of NZ (CANZ) s 9(2)(a)

Campbell Composites and CANZ s 9(2)(a)

Massey University s 9(2)(a)

Agrecovery s 9(2)(a)

Cosmetics NZs 9(2)(a)

Sustainable Coastlines s 9(2)(a)

Ecostore s 9(2)(a)

Biopak s 9(2)(a)

Future Post s 9(2)(a)

Retail Kiwi

Foodstuffs s 9(2)(a)

Southern Pastures, Lewis Road Creamery s 9(2)(a)

PwC and SteerCo for Plastics Packaging Product Stewardship Co-Design Schemes s 9(2)(a)

Pact Group s 9(2)(a)

ESRs 9(2)(a)

New Zealand Food and Grocery Council s 9(2)(a)

University of Auckland s 9(2)(a)

Problematic and avoidable plastic products

1. What criteria should guide decisions on problematic and avoidable plastic products to be addressed? (for example: reusability, recyclability, whether it is commonly littered, life-cycle assessment of alternatives, avoidability)

- a. Problematic criteria*
- b. Avoidable criteria*

There was general agreement that criteria should include essentiality, and this must be clearly defined. It was also generally agreed that essentiality should be able to be applied to different countries to reflect different circumstances. The idea of a decision tree for criteria was raised, and this was supported by others. There was agreement that the term ‘recyclable’ also needs to be defined in the treaty context.

‘Essentiality’ as a criteria

Multiple people shared that criteria should include essentiality, including that:

- There need to be clear rules for exceptions to essentiality.
- The definition of essentiality should look at micro biological risks and prioritise food safety for food plastic packaging.
- Essentiality could be interpreted quite differently depending on sector and national circumstances.

One view shared was that criteria could be developed as a decision tree (involving criteria such as whether the products can be recycled, the waste hierarchy etc.).

Some participants also supported a decision tree, and noted the waste hierarchy is important as an early part of this decision tree, with national circumstances considered to support a just transition.

Implementation

There was a brief discussion around practical implementation – specifically, the complexity of potential requirements to assess every single plastic product or component that comes into the country. MfE noted that we don’t know exactly what the requirements will be at this stage, but one possibility is that criteria would guide technical expert groups to make decisions on products for regulating. Another possibility is that criteria are set globally and countries have to implement those criteria accordingly.

Another view shared was that the instrument should not require assessment of every plastic item that is circulating in the economy, but instead start with lists of those items deemed most hazardous and problematic, and build on this list over time.

It was noted that manufacturers are already dealing with a lot of compliance issues, and this treaty would establish another set of compliance regulations to be followed and the question was raised on who would hold responsibility for reporting on this compliance.

Definition of 'recyclable'

There was some discussion about the definition of 'recyclable', including that:

- It may need to be defined at the global, national and regional level
- Recyclability should refer not just to whether or not a product can be recycled, but also whether it impacts on the recyclability of other products.

2. What are your views on whether criteria and/or lists for addressing problematic and avoidable plastic products should be set at the global vs national level?

There were mixed views on whether criteria and/or list should be used for addressing problematic and avoidable plastic products. There was broad support for addressing products at both the global and the national level.

There was some discussion around the use of lists. One participant did not support the use of lists for plastic products and instead supported a risk-based approach where hazard and exposure are considered together to determine risk. Criteria must allow for the consideration of the diverse use of the products (i.e. there are products that may only be problematic in certain applications/uses). Another participant agreed that lists would be ineffective and that it may be difficult to regulate plastic imports with lists.

There was some discussion about the need for regulation to be applied and enforced at the start of the plastics value chain, making it easier for importers to know what is recyclable or reusable.

There was some support for criteria being set and applied at a national level to account for differing infrastructure (for example, something that is recyclable in practice and at scale overseas may not be recyclable in NZ). Another participant added that in addition to nationally set criteria there could also be a simplified global approach.

3. What specific plastic products should be addressed by the treaty, or excluded from the treaty?

Different views were shared on the definition of 'plastics.'

One participant shared that plastic products that have already been assessed or regulated at the national level should be priority products to start with to be regulated.

There was a brief discussion about the definition of the word 'plastics' in the Treaty. MfE noted that the Treaty has not clearly defined 'plastics' yet. One participant noted that there is a grey area for when something stops being a polymer and when it becomes a plastic. Another participant shared that their definition of plastic is "plastic materials made of synthetic and semi-synthetic polymers that are used for the first time to create plastic products in any form."

Microplastics

4. There is some support in negotiations for reducing or eliminating intentionally added microplastics. What sectors or products are not ready to move away from microplastics? What exemptions may be needed?

5. What are your views on ways to address non-intentionally added microplastics (e.g. from wear and tear – textiles, tyres)?

There was agreement that the term ‘microplastics’ and ‘intentionally added microplastics’ need to be defined, and there needs to be clarity on whether primary microplastics are intended to be included in the treaty.

One participant supported eliminating intentionally added microplastics and also raised that microfibers are also microplastics that should be focused on.

There was discussion on the definition of ‘intentionally added microplastics’ and differing views on what types of microplastics should be addressed in the treaty. Some agreed that the term microplastics should include pellets, flakes and powders. Some agreed that the term should apply to microplastics added as an ingredient for the product, and not apply to pellets, flakes and powders used to manufacture plastics.

There was a brief discussion on focusing on designing plastic products for durability and circularity.

One participant shared that microplastics in cosmetics have been banned in NZ since 2018. There is an international association collaboration where all cosmetic associations globally are looking at how best to support the treaty and what can be done to reduce plastics.

Ashleigh Watson

Subject: Roundtable discussion - Product design
Location: Microsoft Teams Meeting

Start: Mon 19/08/2024 3:00 pm
End: Mon 19/08/2024 5:00 pm
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Whitney Nelson

Required Attendees YAP, Renee (CAE; KAY, Richard (CAE; SIATAGA, Talia (LGL; Daisy Croft; Shaun Lewis; Victoria Hallum [EXTERNAL] (MFAT); MEET WLG8WS 4.07 Kahikatea (8); s 9(2)(a)

[Redacted Attendee List]

Peter Day; Peter Dawson;

Matthew Allen; Louise.mcmillan@epa.govt.nz; s 9(2)(a)

Optional Attendees: Karmyn Lyons

Kia ora koutou,

We invite you to join us for a roundtable discussion on **product design** in relation to the UN Global Plastics Treaty.

This relates to Part 2, Section 5 of the draft treaty compilation text; you can find the relevant section [here](#) on pages 22 - 16.

The roundtable is to discuss our stakeholders' perspectives and identify common or diverging views or interests. We would also like to give you the opportunity to learn more about the treaty-making process, as well as build connections with others.

We have sent this invitation to people and organisations who have shown interest in the treaty negotiations (or other stakeholders may have recommended we include you!). Please let us know if you think anyone is missing. You may also forward this onto someone else within your organisation who is best placed to attend.

The agenda for the roundtable is planned as follows:

- Introductions
- MfE presentation on background of Treaty and INC4 updates
- Discussion questions
- Wrap up and Next steps

Discussion questions TBC – will be added here no later than Mon 12th

Ngā mihi, nā
Whitney

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Ministry for the Environment

Ashleigh Watson

From: Whitney Nelson
Sent: Tuesday, 13 August 2024 9:38 am
To: s 9(2)(a)



Cc: YAP, Renee (CAE; KAY, Richard (CAE; SIATAGA, Talia (LGL; Daisy Croft; Shaun Lewis
Subject: Roundtable discussion Product design - 19 Aug

Kia ora koutou,

Please find below the discussion questions for the roundtable on Product design next week on Monday 19 August.

Design and performance

1. What are your views on a global approach to product design being addressed in the treaty?
2. What criteria should guide decisions on product design and performance? (for example: durability) and whether they should be set globally or nationally?

Reduce, reuse, refill and repair

3. What are your views on the use of targets for the reduction, reuse, refill and repair of plastic products, and whether they should be set globally or nationally?

Recycled content

4. What are your views on minimum percentages for recycled content in plastic products and whether these should be set globally or nationally?

Alternative plastics

5. What criteria should be used to guide decisions on the use of alternative plastics?

For your awareness, please find below a list of those who have confirmed they will be attending. Please let me know if I have missed anyone or have made any errors in the list below.

Confirmed attendees for roundtable discussion:

- Fonterra
- Carboline
- The Packaging Forum
- Agrecovery
- Plasback
- Christchurch City Council –
- Food and Grocery Council
- Zero Waste
- Armatec)
- Scientist Coalition
- Goodman Fielder
- ESR
- Tātaki Auckland Unlimited
- New Zealand Product Stewardship Council
- Composites Association of NZ (CANZ)
- TWC
- Biopak –
- Auckland Council
- Cosmetics NZ
- Used fully
- Jadcup

Note: this should be "Reuse Aotearoa"

We look forward to seeing you next week.

Ngā mihi, nā

Whitney Nelson (she/her)

Senior Policy Analyst | Kaitātari Kaupapa Here Matua
Waste Streams and Plastics Policy | Te Kaupapa Here Mō Ngā Nekehanga Para
Waste Systems | Te Rōpu Ngā Pūnaha Para

Ministry for the Environment | Manatū Mō Te Taiao
whitney.nelson@mfe.govt.nz | environment.govt.nz
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