

Honourable Dr. Muhammad M. Abubakar
Federal Ministry of Environment
Mabushi, Abuja
National Policy on Plastic Lifecycle Management

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Attention: Mr. J Oladipo

By Email: kitanougungbuyi@yahoo.com
oladipooj@yahoo.com
pchehswm@gmail.com



Your Excellency,

Kimberly-Clark Position Paper on National Plastics Waste Lifecycle Management Policy

This submission outlines the position of Kimberly-Clark with regards to the National Plastics Waste Lifecycle Paper issued by Ministry for Environment proposing most notably for our sector. The submission is made in conjunction with our trade association, EDANA, who represent the absorbent hygiene sector and whose submission is also appended.

- a ban on single use plastic packaging and encouraging biodegradable alternatives
- a tax on use of thicker plastics (above 30 microns)
- labelling requirements for wet wipes and sanitary towels
- extended producer responsibility (EPR)
- separate collection objective for wet wipes
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Summary:

- Kimberly-Clark appreciates the opportunity to comment on the policy regarding the lifecycle of plastics in Nigeria. We are committed to doing our part to address the multifaceted issue of plastic waste. We believe that the essential products our consumers trust should be manufactured responsibly and recognize collective action is vital, which includes engaging our consumers and partners as well as governments, NGOs and other stakeholders where there is a need.
- We have a proven track record of partnering with governments to address these issues. We have created a products and systems framework that focuses on shifting to recovered or renewable materials to reduce consumption of traditional plastics as well as developing business models to enable responsible management of our products after use. We have attached a copy of our latest sustainability report for your reference.
- We believe that by taking the next step of working with industry to develop an appropriate timetable for implementation of the government's goals in partnership with the businesses

Kimberly-Clark West Africa

Business Office:
Kimberly-Clark WECA
No. 7, Fatui Atere Way,
Matori, Lagos,
Nigeria

invested in Nigeria, and we can ensure that we provide our consumers in the country with the trusted products they rely on for health and hygiene.

- Kimberly-Clark remains committed to our investments in Nigeria having recently commenced construction of a \$60m investment of a local diaper manufacturing facility in Nigeria.

The essential nature of our products

Kimberly-Clark together with the wider personal care industry represented by EDANA, is committed to doing our part to address the multifaceted issue of plastic waste and support the Federal Government of Nigeria in its efforts to address the problem. However, we have significant concerns with (i) certain requirements and scope of the proposed policy as far as it relates to the essential products that we manufacture and where there are no more sustainable alternatives and (ii) the ambitious timelines envisaged that allow very limited scope for to sector to adjust.

Sanitary towels, tampons, pre-wetted personal care wipes products all promote the health and wellbeing of consumers – especially females – in Nigeria. The essential nature and irreplaceable role of our products that include sanitary towels and wet wipes, is recognised in other jurisdictions such as the EU

However, we are concerned with certain provisions within the plastic waste policy could have unintended consequences on the health agenda of the Nigerian Government either by making these products more expensive to produce or by limiting availability of the products to the users of these categories of products.

As such an exemption should be considered for essential care products and at the very least a grace period should be allowed for manufacturers of such products to comply.

Key measures of the policy

- **A ban on single use plastic packaging and encouraging biodegradable alternatives**

While we recognize and value the intent to ban use of single-use plastic packaging, the policy should only be introduced where there are more sustainable alternatives that can be provided. Before introducing a ban, it is important to propose effective and practical alternatives to consumers and to consider the various consequences of the ban which could lead to the use of other types of bags or unintended consequences such as increasing the carbon footprint of packaging materials. Thereby negatively impacting the climate

Some biodegradable alternatives, such as oxo-degradable plastics for example are shown not to completely degrade but merely 'fragment' plastics thereby not solving the environmental problem. Several leading countries in the field of environmental protection ban oxo-degradable plastics – The European Parliament has just voted to ban the use of oxo-degradable plastics in all countries of the European Union, based on the results of studies carried out by specialists who have demonstrated that the claimed to be biodegradable plastic is only fragmented into smaller pieces of plastic that are never completely biodegraded and are more likely to contribute to microplastics in our environment or water systems.

As outlined further below , we recommend degradable plastics are unfit to be used for packaging with long shelf lives which may become a potential safety hazard for the intended consumers if

packages start to disintegrate while products are still on market shelves or in household. Increasing the possibility of more waste due to product contamination as well.

- **a tax on use of thicker plastics (above 30 microns)**

Thin grade packaging (below 30 microns) is generally only implemented on a wide scale for plastic packaging of short shelf-life items such as grocery and shopping bags. It will need to be determined on an evidence-based approach whether thinner and more degradable plastics are fit for use in longer shelf life products, such as those used to protect our product categories in FMCG. Such determination will require doing robust quality testing including a normal aging and stability testing which will require between 3-5 years to be completed. It's worth noting that consumer products could have a shelf life of more than 3 years while packaging should be completely biodegraded within a period of 2 years as per the regulations. We therefore recommend limiting the scope of the proposals to plastics with short shelf life and those that are intended to be used once such as shopping bags, garbage bags and disposable plastic sheets while giving an enough grace period for the impacted industries to comply.

- **labelling requirements for wet wipes and sanitary towels**

Our industry has been working to address the issue of non-flushable wipes and female hygiene products entering the wastewater system for over a decade. To prevent our products being disposed of inappropriately by consumers, our companies have already committed to provide a robust labelling system for non-flushable wipes that includes a 'Do not flush' logo, which is on the front-of-pack and has standardized criteria for size, contrast and readability. The latest iteration of this code of conduct is due to be applied from the end of October 2018. Most producers of feminine hygiene products have also adopted the logo for their products.

Our industry would support efforts that align any future marking requirements with those already elaborated in our industry's code of practice to ensure that consumers receive useful information on the correct disposal of our products.

- **extended producer responsibility (EPR)**

Extended Producer Responsibility (EPR) schemes have been identified by other jurisdictions to share the burden of waste collection between industry and municipality or to fund consumer awareness of recycling schemes.

However, they should be proportionate to the contribution of specific single use products to litter and that all stakeholders should contribute to their fair share. Where our products enter the marine environment, it is likely to be due to inappropriate disposal by consumers. Our industry's contribution should also be proportionate to the number of wet wipes and sanitary products found relative to the amount of overall plastic found.

Responsibility for awareness raising and for the clean-up of beach litter should be shared fairly between all actors, including public authorities and consumers.

- **separate collection objective**

Regarding a separate collection objective for wet wipes, there are several questions and concerns that need to be addressed from which authority owns and manages the collection and waste management –be it by manufacturers/suppliers, brand owners or state waste management authorities. In addition, how wet wipes are used for health and wellbeing of consumers and disposed of should be taken into further account. In the case of baby or child care, wipes are often disposed of within the diaper into a sanitary waste bin. Therefore, establishing a separate collection stream for wet wipes becomes extremely challenging and costly. Awareness raising will also be critical in how consumers are informed of new and different disposal methods.

Commitment to Nigeria

To date, Kimberly-Clark has invested \$20m into Nigeria and created significant direct and indirect jobs as a result of this investment. Kimberly-Clark also sells Huggies® baby wipes and has recently launched its Kotex® sanitary pads to further satisfy our consumers with excellent quality products at affordable prices.

In February 2019, Kimberly-Clark announced an additional \$60m investment to construct a local diaper manufacturing facility in Nigeria with state-of-the-art technology. The local manufacturing of our high-quality affordable diapers will increase consumer choice while delivering much needed additional investment in market. This will create an estimated 100 new jobs and contribute to the actualisation of the Government’s Economic Recovery and Growth Plan (ERGP). The Nigerian diaper market is under-served, and our new manufacturing facility will help fulfil the growing demand while achieving the growth objectives of the Ministry’s diaper policy.

Conclusions

In conclusion, we support the efforts of the Federal Government of Nigeria to address the problems of plastic waste. However, the policy measures outlined above should:

- exclude essential product categories that impact the health of consumers
- only be introduced after a robust impact assessment process
- allow realistic timelines to ensure that industry and consumers do not experience undue costs and lack of product availability

Finally, we recommend that the Government in consultation and partnership with the industry adopt a holistic national program for waste management in general.