

The United States Council for International Business (USCIB) and its members recognize and appreciate the importance of preparations for the UN Environment Assembly and, with that in mind, we are grateful for the opportunity to comment on the June 26 ver. draft Background Report to the 3rd U.N. Environment Assembly (UNEA-3), *'Towards a Pollution-Free Planet'*. We understand and welcome the stated intention by UNEP to work more closely with business, and to encourage business to engage more actively in UNEA3, with a view to catalyzing business to further UNEA3 outcomes.

Mindful that this report will provide the basis for UNEA-3 discussion, deliberation and decisions, it is important that the final version of the report should accurately reflect facts and recognize knowledge gaps around environmental concerns so that prioritization and allocation of resources can be appropriately targeted at the international level. *To achieve this, it is our view that the draft report requires substantial revision.* In particular, we are troubled that as currently written, this report mischaracterizes and diminishes business contributions and achievements to reducing the environmental impacts of its operations and products, and presents an incomplete picture of both the priorities for policy and societal action, and the most cost effective means to pursue them.

USCIB members would like to underscore their commitment to environmental stewardship and engagement in international actions to address pollution in all its forms. We wish to see a continuing evolution to consistent and effective pollution prevention and minimization through innovation, regulation, public private partnership, voluntary efforts and international cooperation, including in MEAs. The U.S. business community at association and individual enterprise level have enacted policies and practices to continuously improve their environmental performance, and answer consumer needs with reduced environmental impacts.

Considering the report's importance in these regards, the U.S. business offers the following comments for consideration:

Delete Unfounded Assertions Critiquing Business; Reflect Value and Supply Chain Dynamics Along With Specific Sector Discussions

We are disappointed to see that the draft report unfairly conveys:

- unsubstantiated blanket attribution of blame for pollution
- assertions about negative motivation and insufficient actions

to business and industry. This anti-business viewpoint constitutes a deep flaw in the report, and not only risks discouraging business from associating with UNEP's findings and work, but also misdirects government cooperation away from the very stakeholders that are critical to advancing the efforts described.

The attached annotated draft (4th attachment) highlights the most problematic language and suggests alternative formulations. We strongly encourage the authors to present a more balanced description of all the actors that are involved in tackling pollution, and to refrain from singling out business in a predominantly negative manner. We would also encourage the authors to present contemporary examples of both improved and unsuccessful practices, and avoid anachronistic examples (Bhopal) that are not indicative of current practices by either governments or business.

Finally, while discussing specific industry sectors, the report should also present economic and technological relationships and dynamics through value and supply chains, upstream and downstream across sectors. This reality check – while more complicated than a sector by sector approach -- is critical to understanding and setting the right direction for managing and minimizing waste and pollution.

Emphasize Risk Assessment and Management as the Basis of Action to Address Pollution

Understanding the challenge of presenting such a broad topic involving so many forms and sources of pollution,

we are still concerned that the draft report gives the impression that all pollutants are equally urgent and problematic, making it difficult to identify priorities. For government policymakers and regulators, the reality is much more complicated, with the imperative to identify, assess and reduce risks of pollution in an orderly and technically sound manner to ensure deployment of limited resources where they can provide the most benefit to society.

Reflect Current Efforts and Initiatives and Substantiated Actual Impact Distinct from Conjecture and Speculation

The draft Report blunts its own persuasiveness by failing to adequately reflect substantial and ongoing efforts to address pollution, whether under the aegis of UNEP itself, through MEAs, inter-governmental and multi-stakeholder efforts, national governments, business and others. The fact that the international community – and in that context, the business community – has already embarked on pathways to reducing pollution – thanks in no small part to UNEP itself -- is downplayed and only discussed halfway through the text. Referencing the comprehensive actions of these actors from the draft Report’s beginning can only strengthen the background, and help governments and other decision-makers target areas where action is needed and avoid redundant discussion and actions.

In addition, the Report should distinguish between observed, substantiated impacts and theoretical or speculative scenarios, and present them separately, rather than together in the text or in tables.

Emphasize Technology and Management System Innovation as Key To Advancing Solutions to Pollution Challenges

While the draft does discuss technology innovation, we would encourage a more in depth and updated discussion that reflects the vital importance of enabling innovation throughout the entire “life cycle” of R&D, development, testing, commercialization, utilization and deployment.

Specific Comments From Sectors

While the short time frame for comments did not allow for deep consultation with all industry sectors mentioned in the draft report, we are able to convey views from 2 particular sectors in USCIB’s membership:

Personal Care Products Sector

We have added specific comments from this sector, and also attach additional documents:

- Statement from Personal Care Industry Associations on Plastics in Oceans
- Statement on Science on Microbeads and Microplastics by Personal Care Products Council
- Personal Care Products Council on Definitions

Pharmaceutical Sector

The report implies hazardous attributes to pharmaceuticals without supporting references. For example, pharmaceuticals are:

- Listed as a source of heavy metal pollution (pg. 9);
- Referred to as “*harmful*” without further explanation (pg. 11);
- Listed as affecting human health through “*Immunity suppression*” and as impacting “*Ecosystem Provisioning services: Productivity of fish and stock*” (pg. 11, Table 4 and pg. 13, Table 5);
- Included amongst a number of serious pollutants for which it is claimed that “*Scientific evidence exists to advance risk reduction action*” (pg. 41, Table 8);
- Indicated as having “*Emerging scientific evidence concerning risk to human health...*” (pg. 41, Table 8);

The only directly-relevant reference cited, Ref. 48: Koplin, *et.al.* (2002), describes the results of a US stream sampling survey conducted in 1999-2000 and cannot be considered adequate support for such claims. This article, like many others, reports the *presence* of pharmaceuticals in the environment; however, environmental presence *does not* equate to a risk. Environmental concentrations need to be considered against relevant and valid effects-based findings to determine the margin of safety or risk. It is essential to fully understand potential risks for appropriate risk management actions to be determined, if warranted. Particularly in the case of pharmaceuticals, propagating unfounded claims such as those made in Tables 4 and 5 - “Immunity suppression” as a human “impact” of environmental presence, could ultimately influence patient adherence to therapy with negative outcome.

We believe that, unless these claims are substantiated with peer-reviewed evidence, they should be removed from the report. In lieu of those claims, the statement made in Table 8 that for “Certain pharmaceuticals”, there is a “*Need to scale up research and knowledge-sharing to better understand nature and magnitude of risks...*” more accurately describes the current situation as regards pharmaceuticals and aligns with the emerging policy issue (EPI) resolution as adopted during the SAICM ICCM-4 in 2015.

The pharmaceutical industry has repeatedly expressed interest, through an ICCM-4 intervention and subsequently through discussions with the SAICM Secretariat, to participate in and contribute to cooperative action with the overall objective of increasing awareness and understanding among policymakers and other stakeholders, as described in the SAICM resolution. We still stand ready to contribute and await correspondence from the SAICM EPI coordinators.

In closing, USCIB would strongly suggest revisions to this draft report to reflect the current scientific, technical, political and private sector understanding, risk-based approaches and actions towards addressing pollution, especially in the broader context of the SDGs. Only then can this report set the stage for effective and targeted outcomes from UNEA3 that will mobilize governments, IGOs and the private sector, individually and together.

I am happy to discuss this further, and answer any questions. Many thanks for considering our comments.

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