

M&S Detox Agreement with Greenpeace

M&Sⁱ recognises the urgent need to eliminate the industrial releases of all hazardous chemicalsⁱⁱ into the environment. In line with our preventative approach and in support of the Precautionary Principleⁱⁱⁱ, M&S fully acknowledges and understands the seriousness of the problem of hazardous chemicals and is committed to zero discharge^{iv} of hazardous chemicals from the whole lifecycle associated with the production and use of its textile and apparel products across all pathways of release (discharges, emissions and losses) in our supply chains by 1 January 2020.

In order to achieve our goal of zero discharge of hazardous chemicals by 2020, mechanisms for disclosure and transparency about the hazardous chemicals used in the global supply chains are important and necessary in line with its support of the Right to Know Principle^v.

M&S also commits to support systemic (i.e. wider societal and policy) change to achieve zero discharge of hazardous chemicals by 2020. This commitment includes sustained investment in moving industry, government, science and technology to deliver on systemic change across the industry towards this goal.

If we are to deliver lasting solutions, our actions need to be guided by transparency, fact-based decision-making and based on a precautionary and integrated approach to chemicals management.

The goal of zero discharge by 2020 demands the collective action of industry and other stakeholders. We believe that the elimination of hazardous chemicals needs not only collaboration and partnership with our industry peers, but also a holistic and integrated approach, working with material suppliers, the broader chemical industry, NGOs and other stakeholders to achieve this goal.

Reinforcing M&S's existing APEO elimination policy

In 1998, M&S banned the use of these chemicals from its products, and instructed its suppliers to continually assess all chemicals they source to ensure they are alkylphenol ethoxylate (APEO) free. This APEO ban is a fundamental reflection of M&S's commitment to chemical compliance. As leaders on this issue of APEO elimination, M&S will re-enforce the 1998 ban with the following actions:

1. We will continue to re-iterate the APEO ban to all of our global supply-chain via strengthening our supplier contract language by the end of 2012, to ensure only APEO-free chemical formulations are utilised, to further enhance compliance with our long-standing comprehensive APEO usage ban. As part of this process we will instigate an investigation into the current compliance to this requirement, reporting the findings by June 2013.

2. We recognise there are multiple supply-chain pathways for potential APEO contamination (including chemical formulations) and will enhance both training and auditing of our supply-chain in conjunction with other global brands.
3. To ensure our suppliers have the latest information on APEOs, M&S will conduct a review of APEO use in the textile/apparel industry in conjunction with other brands, highlighting where there is a risk that APEOs may enter into the undocumented contamination of chemical supplier formulations.
4. M&S will work with our supply chain and other global industry leaders, to ensure the most current technological limits of detection are reflected via the lowest detectable limits within our globally accredited testing regimes.

Perfluorocarbon (PFC) timeline for elimination

Consistent with the Precautionary Principle M&S acknowledges the intrinsically hazardous properties of the PFCs family of chemicals.

As a result and in recognition of the unacceptable environmental impact of perfluorooctanoic acid (PFOS) or perfluorinated sulfonate (PFOA) chemicals, M&S has for over ten years communicated to its global supply base that none of its products may contain any measurable traces of these PFC-related chemicals.

In line with the precautionary principle we also commit to eliminating the use of all PFCs from all M&S production by no later than 01 July 2016. This is a challenging target, where there are currently no technical solutions available. However, by taking a phased approach to the elimination of PFC's we believe we are setting out a clear benchmark to the industry.

The phased approach will consist of:

1. With effect from 1st January 2013, M&S has confirmed a PFC textiles and apparel business policy that it is imposing a ban on the use of 'long chain' PFC technology – commonly known as 'C8'.
2. Aim to reduce the number products with any PFCs by a 50% reduction by the end of 2013, relative to the PFC baseline use for 2012.
3. Aim to further reduce the number of products with any PFCs by a 90% reduction by July 1st 2015, relative to the PFC baseline use for 2012.

This phased approach to PFC elimination will be supported by

1. A rigorous system of control to ensure that no traces of PFCs find their way into our supply chain in line with the above timelines.
2. A review all uses of PFC based finishes in our product,
3. M&S commits to work in partnership with its supply chain and other global industry leaders to accelerate its move to re-specifying, in relevant products, non-PFC technologies.

Supply chain disclosure position

M&S commits to the public's 'right to know' the chemical substances used within its global supply-chain and products:

1. M&S will be publishing its 'Restricted Substances List'.
2. M&S will, in addition to increasing the public availability and transparency of our restricted substance list and audit process, set up public disclosure of discharges of hazardous chemicals in the supply chain.

Other hazardous chemicals

Over the last decade we have kept under review the science behind the chemicals used in the textiles industry and periodically updated our chemical policy to further restrict or ban chemicals, as new evidence on their impact becomes available. We commit to maintaining this process of review and ensuring it is part of an industry wide approach to ensure the use of chemicals in our products is managed responsibly and in line with the above commitment. We also recognize the need to set clear intermediate progress targets on the elimination of hazardous chemicals and/or the introduction of non-hazardous chemistry by 2015 on the road to zero discharge by 2020.

M&S understands the scope of the commitment to be a long term vision – with short term practice to be defined in our individual action plan to follow, within the next 8 weeks, including:

1. Reporting on how M&S will reinforce the work of the revised sectoral chemical inventory and hazardous substance list such that the inventory and list are publicly available and the timelines of the same.
2. Reporting on how M&S will address the deficit challenges of the MSDS i.e. better control and better provide information on what hazardous chemical ingredients they are using in formulations.
3. How M&S will begin the process of supply chain, facility level, discharge data disclosure to the public by the end February 2013 by releasing discharges data of 5 trial Chinese M&S supplier facilities, using an online platform e.g. using the IPE platform and the data collection template agreed with IPE, and covering the 11 priority groups of hazardous chemicals identified by Greenpeace. This will be further defined depending on the data involved.

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ⁱ This means the commitment applies to the environmental practices for the whole textile and apparel product-portfolio of the company (group). This includes all its suppliers or facilities horizontally across all owned brands and licensed companies as well as vertically down its supply chains.

ⁱⁱ All hazardous chemicals mean all those that show intrinsically hazardous properties: persistent, bioaccumulative and toxic (PBT); very persistent and very bioaccumulative (vPvB); carcinogenic, mutagenic and toxic for reproduction (CMR); endocrine disruptors (ED), or other properties of equivalent concern (not just those that have been regulated or restricted in other regions). This will require establishing ideally with other industry actors – a corresponding list of hazardous chemicals concerned that will be regularly reviewed.

ⁱⁱⁱ This means taking preventive action before waiting for conclusive scientific proof regarding cause and effect between the substance (or activity) and the damage. It is based on the assumption that some hazardous substances cannot be rendered harmless by the receiving environment (i.e. there are no ‘environmentally acceptable’/‘safe’ use or discharge levels) and that prevention of potentially serious or irreversible damage is required, even in the absence, of full scientific certainty. The process of applying the Precautionary Principle must involve an examination of the full range of alternatives, including, where necessary, substitution through the development of sustainable alternatives where they do not already exist.

^{iv} Zero discharge means elimination of all releases, via all pathways of release, i.e. discharges, emissions and losses, from our supply chain and our products. “Elimination” or “zero” means ‘not detectable, to the limits of current technology’, and only naturally occurring background levels are acceptable.

^v The Right to Know Principle is defined as practices that allow members of the public access to environmental information – in this case the principle is specifically about the uses of discharges of chemicals based on reported quantities of releases of hazardous chemicals to the environment, chemical-by-chemical, facility-by-facility, at least year-by-year.