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THE DETOX CATWALK 2015 EXPLAINED

CONTEXT

For decades, companies have chosen to use the environment and in particular our waterways as a dumping ground for industrial hazardous chemicals, unhindered by effective government regulation. This has led to the continuous and on-going build-up of hazardous chemicals throughout the environment.[1] For the local communities living near manufacturing facilities and for consumers around the world implicated in this toxic cycle, water pollution has become a daily reality.

Attempts to address this problem have typically involved setting and tightening the legal limits for the discharge and release of a relatively narrow range of hazardous chemicals. Corporations have also implemented these limits in their corporate responsibility programmes. However, this 'legalised pollution' is a compromise that benefits irresponsible corporations and hasn't prevented the continuing release of toxic chemicals into the environment.[2] The scale of industrial production and the typical 'business as usual' approach to manufacturing-particularly in the Global South - means that the use of hazardous chemicals by the industry is still occurring.

The textile industry must urgently take responsibility for its contribution to this problem, past and present. Hazardous chemicals – including the 11 priority groups identified by Greenpeace[3] - continue to be used for the manufacture of clothes by many well-known brands. These chemicals are still being found in effluent from their supply chain manufacturers, in their products and in the environment, despite decades of regulation and corporate responsibility programmes. Legal limits on the use and discharge of these hazardous chemicals have allowed releases from a multitude of sources to build up in the environment and accumulate over the years. For persistent, hazardous chemicals, there is no 'safe' level.

Greenpeace launched its "Detox" campaign in July 2011 to address this problem. The Detox Catwalk assesses those textile companies that agreed to a Detox Commitment with Greenpeace, as well as those that have yet to do this. Depending on the credible steps these companies have taken towards their Detox commitment, the Detox Catwalk groups them into two categories: *Leaders* and *Greenwashers*. Companies that have so far failed to agree a Detox Commitment with Greenpeace are in a third category: *Losers*.

The first edition of the Detox Catwalk, released in October 2013, found that out of a total of 17 clothing companies that had committed to Detox, 14 were acting as Detox 'Leaders' - addressing the problem of hazardous chemicals with the urgency that it deserves.

Companies that were identified as *Greenwashers* included Nike and LiNing; seven companies were identified as *Losers*.

The new edition of the Catwalk finds that 16 companies are now acting as Detox *Leaders*, with only two remaining as *Greenwashers* – Nike and LiNing. In addition, more 'Losers' have been identified that have yet to commit to Detox; these are brands whose products have been analysed in

investigations that Greenpeace has undertaken since October 2013 and have not responded with a credible detox commitment to solve the problem.[4]

Despite committing to Detox two years ago, there is insufficient evidence that the two *Greenwashers* have brought about credible outcomes on the ground. The first step towards Detox that a company should make is to publicly acknowledge its 'individual' corporate accountability for the hazardous chemical pollution stemming from its global supply-chain. Despite Greenpeace's multiple challenges and attempts to persuade them, the Greenwashers Nike and LiNing have repeatedly failed to act independently, outside of the ZDHC[5] group's promises and pilots.

Each of these companies has rejected its responsibility to take full individual corporate action[6] to eliminate the identified hazardous chemicals PFCs. In addition, Nike has not respected the public's 'Right to Know', by refusing to be transparent on its suppliers' pollution data based on the direct measurement of their discharge pipes. Both *Greenwashers* prefer to shield themselves under the umbrella of a collective group – the Zero Discharge of Hazardous Chemicals (ZDHC) Group.[7]

Though Greenpeace recognises the importance of collective action, this industry group has not acted with the urgency that the situation demands. For example, the group has yet to achieve the elimination of any of the important hazardous chemicals groups and has not facilitated the disclosure of any discharge data, chemical-by-chemical, based on direct measurement from the discharge pipe of named suppliers and supplier's location, a crucial first step towards achieving zero discharges. If the group continues at this speed they will not be able to meet their deadline of zero discharges by 1 January 2020.

Instead of taking the urgent action necessary towards the elimination of hazardous chemicals, *Greenwashers* like Nike and LiNing are 'spinning' their public promises into public relations exercises. It's time for them to make individual promises with full accountability and deliver their own individual progress.

In addition to those companies that have made an individual Detox commitment, the Detox Catwalk also includes a third category – *Losers*. Despite the fact that hazardous chemicals have been found in their products and despite multiple requests from Greenpeace,[8] these 12 companies have yet to act responsibly to tackle the problem by committing to a credible, individual Detox solution.

Like the *Greenwashers*, these companies are denying their individual corporate responsibility for hazardous chemical pollution, past and present. Unlike the *Greenwashers* however, none of the *Losers* has engaged with Greenpeace to make an effective Detox Commitment and therefore they cannot claim to have made an individual, credible commitment to Detox.

Greenpeace applauds the *Leaders* that are taking credible steps towards their Detox commitments. Their actions show that eliminating these hazardous chemicals is not only possible, it is already happening.

For example, until recently, the issue of hazardous chemical discharges from textile industry suppliers in the Global South was shrouded in secrecy. The true extent of the problem began to be revealed following the launch of Greenpeace's Detox campaign. Today, the public's "Right to Know" about hazardous chemical-by-chemical discharges directly taken and measured from a brand's

individual supply chain facilities –something previously and continually rejected by the textile industry and considered almost impossible before the Detox campaign –is becoming a reality.

CRITERIA FOR THE DETOX CATWALK 2015

An effective, credible Detox commitment and action plan consists of a company's commitments and actions. The latest version of the Detox Catwalk evaluates the brands on three criteria: all are focussed on the delivery of the companies' individual action plans under three key headings: **Elimination of APEOs & phthalates**, **Elimination of PFCs** and **Transparency**.

Companies taking concrete steps and laying out a clear pathway in the context of these criteria are categorised as Detox *Leaders*. Those that have failed to act with the scale and urgency necessary towards their commitments, hiding behind collective inaction and paper promises, find themselves in the *Greenwashers* category. Meanwhile, the *Losers* have yet to make a credible individual Detox commitment recognising the importance of all three of these critical elements.

1. Elimination of APEOs and phthalates

In line with the urgency of the global water pollution problem, leading Detox companies are committed to eliminating the 11 identified priority hazardous chemical groups (11 Priority Hazardous Chemicals (PHC) groups) before 01 January 2020. Within the 11 PHC groups, two hazardous chemical groups, widely and deliberately used in textile manufacturing are targeted for elimination far before the final 01 January 2020 deadline. Responsible Detox brands have committed to phase out (and some have virtually eliminated from their global supply-chains) any use and discharge of **alkylphenolethoxylates (APEOs)** and **phthalates** (see Annex 'The APEO example'). The Detox Catwalk evaluates the elimination status of these two initial priority hazardous chemical groups across the companies' respective supply chains.

The elimination of any hazardous chemical must be supported by regular, credible, public documentation via a corporate website, and include case studies on the substitution of hazardous chemicals with safer alternatives, published, for example, via the online Subsport.org platform.[9]

As a Detox commitment is a continuous process, companies need clear and credible intermediate targets on the elimination of hazardous chemicals (beyond the 11 priority chemical groups) and the introduction of non-hazardous chemistry by the earliest specific date possible. Responsible companies will act now and not wait until 31 December 2019 to eliminate their hazardous chemical use.

2. Elimination of PFCs

Responsible Detox brands have committed to phase out (and some have already eliminated from their global supply-chains) any use and discharge of the hazardous chemical group perfluorinated chemicals (PFCs).[10] PFCs are a group of chemicals that are known for their water and oil repellent properties and have been identified as persistent, bio-accumulative and toxic.[11] The process of eliminating PFCs involves the identification of suitable substitutes for some or all of the functions and attributes of PFCs. Some Detox *Leaders* have already eliminated the use of PFCs in their products through an elimination programme that includes progressively substituting them with safer alternatives.

A credible programme of elimination needs to include the whole group of PFCs as well as the entire product range of the company concerned, leading to the elimination of this group of chemicals. Unfortunately, the *Greenwashers* Nike and LiNing do not commit to the elimination of all PFCs with a clear deadline, in all their products and allow the substitution of PFCs that are now subject to regulations, with other PFCs that are not yet regulated, but may be equally hazardous.

3. Transparency

We, as global citizens, have a fundamental 'Right to Know' which hazardous chemicals are being used and discharged into the environment and where precisely this is happening (at which local facility and in which products).

A credible, individual Detox plan is not possible without transparency on the use and discharge of all hazardous chemicals. Once the reality of hazardous chemical pollution is revealed to the public,[12] the obligation is on those responsible to act rapidly and effectively to achieve zero use of hazardous chemicals.

Responsible Detox companies should set out a clear plan for the publication of precise, relevant and locally accurate information on the use and discharge of hazardous chemicals from individual facilities in their supply chains. It is crucial that local communities, the general public and public interest organisations can regularly and easily access up to date and detailed information, for example via the IPE (Chinese Institute for Public and Environmental Affairs[13]) global online platform. The IPE disclosure platform provides an existing, well-known, publicly accessible and independent online database where a company's suppliers can disclose chemical discharge data.

For this version of the Detox Catwalk, brands have been asked to report on the number and percentage of global wet processing suppliers that have disclosed discharge data for the initial 11 priority hazardous chemical groups on the IPE platform (i.e. the percentage of units produced relative to total global "wet processing" production and the percentage per country). This information must also be published on the company's website.

By publishing chemical discharge data via the IPE disclosure platform, a company's suppliers ensure that the data is credible, that it includes the necessary details to identify the individual facility concerned and that it covers at least the 11 groups of priority hazardous chemicals. Because much of the world's textiles production takes place in China, companies must ensure data from suppliers in China is disclosed, followed by other major suppliers in the Global South.

The reporting of hazardous chemicals use and discharges by each responsible Detox company must rapidly progress across its global supply chain. To become a Detox Leader, companies should agree to credibly disclose to the public chemical-by-chemical use and discharge, for example via the IPE online platform. Remarkably, the *Greenwasher* companies- Nike and LiNing have yet to publish the percentage of their supply chain that is publicly disclosing its discharges of hazardous chemicals. While LiNing plans to ensure publication of this data in the future, Nike has repeatedly refused to honour its public commitment to transparency. It continues to undermine its customers', and all the local people living near its supply-chain facilities, their 'Right to Know' which hazardous chemicals are used to manufacture its products and may be present in the facility's discharges.

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Credible public transparency enables companies – and their suppliers – to properly identify where and how hazardous chemicals are being used and discharged. It also facilitates rapid progress on their elimination in a transparent and verifiable manner.

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Annex 1: The core principles of a Detox commitment

Although not the focus of the current Detox Catwalk evaluation, all brands that are committed to Detox are assessed on the incorporation of core principles as part of their original commitment and individual action plan.

There are four core principles that should be the cornerstones of a responsible company's Detox Commitment: **individual corporate accountability**,[14] the '**Precautionary Principle**',[15] a credible definition of '**zero**' and the public's '**Right to Know**'[16] about the use and discharge of hazardous chemicals from a company's supply chain facilities, and their presence in the final product. A company's commitment to these principles defines the practices that are necessary to progress towards zero hazardous chemical use.

Individual corporate accountability for hazardous chemical pollution is the first step towards Detox; however, the Greenwashers Nike and LiNing have repeatedly failed to act independently, outside of the ZDHC[17] group's promises and pilots.

By failing to act responsibly by recognising their individual corporate accountability, these companies are acting as an obstacle to the urgent elimination of hazardous chemical use. The 'Precautionary Principle' and a credible definition of 'zero' discharges are two critical Detox principles whose de facto implementation can be seen in the 'hazard-based' approach to selecting and rapidly acting on hazardous chemical elimination. Practicing this approach is fundamental to a responsible company's credible, individual Detox programme. A hazard-based approach considers the intrinsic or inherent properties of hazardous chemicals – such as toxicity, persistence, ability to bioaccumulate, cause cancer or disrupt the endocrine system[18] - as the only basis for immediate action to eliminate them. This approach must not be compromised by the introduction of other "risk" elements (such as volume, influence or business needs) - as promoted by the Greenwashers - which in practice attempts to determine 'acceptable' or 'safe' levels of exposure to hazardous chemicals.

This 'risk-based' approach undermines the rapid elimination of all hazardous chemicals, because it does not require immediate actions for some chemicals for which a hazard is identified. Some hazardous chemicals could therefore be relegated to a so-called 'non priority' list, justifying their continued use and discharge.

In order to meet their Detox commitment, responsible Detox companies must use a thorough and credible hazards screening methodology[19] to identify a universal list of hazardous chemicals to be fully eliminated by no later than 01 January 2020.

A second important element of this approach for selecting and acting on hazardous chemical elimination is that there are 'no safe levels' of intrinsically hazardous chemicals. A responsible programme to eliminate any hazardous chemical use must therefore aim for zero levels, across all discharge pathways, in products and in all potential inputs. The credible definition of 'zero'[20] hazardous chemical use must be continually verified by employing the best and latest technology ('best current testing technology') to detect hazardous chemicals across all discharge pathways. The chemical testing methods employed must be regularly updated to reflect best practice, in order to continuously progress towards zero hazardous chemical use.

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The public's 'Right to Know' about the use and discharge of hazardous chemicals from a company's supply chain facilities, and their presence in the final product represents that last key Core Principle and is outlined above under 3. Transparency.

The APEO example:

Previous attempts to eliminate APEOs illustrate how both individual corporate action and industry association initiatives to 'ban' these chemicals have proven insufficient.

Despite the existence and availability of effective chemical and/or process alternatives and the fact that many companies have included APEOs on their 'banned' or 'restricted' substances lists for some time, the use of APEOs in manufacturing has continued. Residues of APEOs are therefore commonly found in clothing products, as shown by several Greenpeace investigations.[21]

Instead of working towards zero, companies have previously set limits for the use of hazardous chemicals in manufacturing. The implementation of these so-called 'safe' limits has led to the continued release and accumulation of APEOs in the environment.

This shows that communicating to suppliers about an "acceptable limit", rather than being clear that they must aim for zero use, has sent the wrong message to the supply chain and their chemical manufacturers. This, in turn, has led to the perpetuation of a problem that should already have been solved. Given the highly diverse uses of chemicals such as APEOs, a credible Detox commitment requires companies to investigate and explicitly understand all pathways where the use or presence of APEOs could lead to contamination. It is also necessary that they report on the results of these investigations, in order to continuously progress towards zero.

[1]Greenpeace International (2009), Poisoning the Pearl: An investigation into industrial water pollution in the Pearl River Delta http://www.greenpeace.org/international/en/publications/reports/poisoning-the-pearl/ p39

[2]Greenpeace International (2011).Hidden Consequences: The costs of industrial water pollution on people, planet and profit. May 2011 http://www.greenpeace.org/international/en/publications/reports/Hidden-Consequences/

[3]The 11 priority hazardous chemical groups are : 1. Alkylphenols (APEOs) 2. Phthalates 3.Brominated and chlorinated flame retardants (BFRs, CFRs) 4. Azo dyes 5. Organotin compounds 6. Perfluorinated chemicals (PFCs) 7.Chlorobenzenes 8.Chlorinated solvents 9.Chlorophenols 10. Short chain chlorinated paraffins 11. Heavy metals such as cadmium, lead, mercury and chromium (VI).

[4] Greenpeace (2014), A Little Story About the Monsters In Your ClosetPublication - 2014-01-14, http://www.greenpeace.org/eastasia/publications/reports/toxics/2014/little-story-monsters-closet/

Greenpeace (2014a),A Little Story about a Fashionable Lie; Hazardous chemicals in luxury branded clothing for children,Publication - 17 February, 2014 http://www.greenpeace.org/international/en/publications/Campaign-reports/Toxics-reports/A-Little-Story-about-a-Fashionable-Lie/

Greenpeace (2014b), A Red Card for sportswear brands; Hazardous chemicals found in World Cup merchandisePublication - 19 May, 2014, http://www.greenpeace.org/international/en/publications/Campaign-reports/Toxics-reports/detox-football/

[5] ZDHC Group, op.cit.

[6] Individual corporate action is defined as: "companies taking individual and independent action from informal or formal associations and for companies to be individually accountable at the corporate level."

[7] Zero Discharge of Hazardous Chemicals Group, Joint Roadmap, http://www.roadmaptozero.com

[8]Greenpeace International (2011a).Dirty Laundry: Unravelling the corporate connections to toxic water pollution in China. July 2011 http://www.greenpeace.org/international/en/campaigns/toxics/water/Dirty-Laundry-report/
Greenpeace International (2011b). Dirty Laundry 2: Hung Out to Dry: Unravelling the toxic trail from pipes to products. August 2011. http://www.greenpeace.org/international/en/publications/reports/Dirty-Laundry-2/
Greenpeace International (2012a). Dirty Laundry: Reloaded. How big brands are making consumers unwitting accomplices in the toxic water cycle. 20 March 2012.
http://www.greenpeace.org/international/en/publications/Campaign-reports/Toxics-reports/Dirty-Laundry-Reloaded/
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Greenpeace International (2013), Toxic Threads: Polluting ParadiseA story of big brands and water pollution in Indonesia, April 2013,
http://www.greenpeace.org/international/en/publications/Campaign-reports/Toxics-reports/Polluting-Paradise/
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http://www.greenpeace.org/international/en/publications/Campaign-reports/Toxics-reports/detox-football/

[9]http://www.subsport.eu, select case studies.

[10]PFCs - Perfluorocarbon / Polyfluorinated Compounds; PFCs include polyfluorinated compounds, such as fluorotelomers, that can serve as precursors that degrade to form perfluorinated carboxylic acids, e.g. PFOA

[11]www.greensciencepolicy.org/madrid-statement/

[12] Greenpeace International reports, op.cit. reference 3.

[13]The IPE online platform (in China) is an existing well known and independent relational, and publicly accessible, database including a section that provides voluntarily disclosed data on company emissions, consumptions and pollutant discharges and also discharges and emissions of hazardous chemicals searchable by facility name, activity, date, location and/or individual pollutant. The Internet platform will be direct data entry with the necessary procedures for security and data verification.
The IPE disclosure platform is used to ensure the discharges data of various supplier facilities are easily accessible, centralized and searchable via consistent credible content and form. These data may additionally be shared via the brand and supplier's website. But, these additional forms of data distribution will not be a substitute/replacement for China supplier disclosure via the IPE platform.
IPE is an independent non-profit, non-governmental organisation that, on occasion, may also work on similar issues as Greenpeace.
See: (website)

[14] All brands need to take corporate responsibility for a clear Individual Action Plan that identifies the steps it will take to follow through on its Detox commitment and continuously review and update these steps.

[15] 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.

[16]Right to Know is defined as practices that allow members of the public access to environmental information – in this case specifically about the uses and 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.

[17] ZDHC Group, op.cit.

[18] All hazardous chemicals means 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 the hazardous chemicals concerned that will be regularly reviewed.

[19] Clean Production Action's 'Greenscreen' intrinsic hazards assessment tools and criteria is currently the only process that comes closest to meeting the necessary requirements for a thorough and credible hazards-based screening methodology. See:
http://www.cleanproduction.org/Greenscreen.php and http://www.cleanproduction.org/library/GreenScreen_v1_2-2e_CriteriaDetailed_2012_10_10w_all_Lists_vf.pdf

[20] 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.

[21] Greenpeace International reports, Dirty Laundry 2, Dirty Laundry Reloaded, Toxic Threads, the Big Fashion Stitch-up, op.cit.