



May 15th 2023

RE: Oppose- LD 1645/HP 1055 *An Act to Reduce Plastic Packaging Waste*

Chair Brenner, Rep Gramlich and Members of the Committee on Environment and Natural Resources,

The undersigned organizations representing industries and workers across Maine respectfully request your opposition to LD 1645/HP 1055 that would ban any product in packaging that contains polystyrene, expanded polystyrene, polyvinyl chloride, polyvinylidene chloride, polystyrene terephthalate and is manufactured using antimony or cobalt as a processing aid or additive.

We are deeply committed to creating a more circular economy for plastics. That is the reason our industry were among the first to establish ambitious, forward-thinking goals that all plastic packaging in the United States is reused and recycled. Achieving these goals will require industry, manufacturers, brands and retailers, recyclers and waste haulers, as well as citizens, communities, non-profits, academics and federal, state and local governments to come together to support policies and programs to increase the supply of and demand for recycled materials and create the circular economy we all want.

Maine is currently in the stakeholder input stage of pre-rulemaking to implement an Extended Producer Responsibility program for paper and packaging. New mandates are unnecessary and counterproductive.

As you know, Maine enacted LD 1541 in July 2021, making it the first state in the nation to enact a paper and packaging EPR program. The implementation of this EPR program is intended to reduce single use packaging and plastics waste. Producers will be required to pay into this fund based on the amount by weight of packaging and material associated with the products they sell, offer for sale or distribute for sale in or into the state.

Under this program, packaging decisions will be directly influenced by a future fee schedule that will incentivize easier to recycle materials.

Given that Maine the stakeholder input process of pre-rulemaking for the EPR program does not conclude until December 2023 with anticipated adoption of routine technical rules in summer 2024, new packaging mandates as proposed in LD 1645 are unnecessary and counterproductive.

Hundreds of global companies are already reducing plastic in their packaging and have committed to using recycled content. Banning plastics could result in these companies failing to meet their commitments, and simple substitution for packaging is not possible in many cases. Plastic is vital to modern life, from energy saving insulation to medical grade

plastics used in surgeries and to lightweight vehicles. We support a circular economy where plastic is used instead of discarded, helping to keep it out of the environment. Specifically related to plastic packaging, many consumer packaging companies have committed to using recycled plastic content in their packaging.

More than 400 global brand companies have committed to the Ellen MacArthur Foundation's (EMF) New Plastics Economy initiative, which requires these companies to have 100% of their packaging recyclable by 2025 and include 25-50% recycled content in their packaging. A ban on plastics would result in less plastic available for these companies to meet their recycled content commitments or mandates.

While the bill's ban would require that these and other companies would switch to readily recyclable, reusable or compostable packaging, this is not possible in many cases. **Outright bans on materials do not consider potential important tradeoffs including how certain packaging materials promote food safety or prevent food waste, a significant contributor to climate change as 25% to 30% of global emissions come from the food system.**

For these reasons, we respectfully request that the committee not move forward with LD 1645.

Thank you for your consideration,

Sincerely

American Chemistry Council

American Fuels & Petrochemical Manufacturers

Association of Home Appliance Manufacturers

Berry Global

Braven Environmental

Brightmark

Consumer Brands Association

Flexible Packaging Association

Household and Commercial Products Association

Plastic Energy

Plastics Industry Association

Printing United Alliance

Sealed Air

Vinyl Institute

Vinyl Siding Institute