

Testimony in Favor of LD 2104
An Act To Support and Increase the Recycling of Packaging
Dick Atlee, Southwest Harbor, 25 February 2019

I submit this testimony with the understanding that a DEP amendment which may seriously alter the existence or nature of the Packaging Stewardship Organization has yet to be provided.

I have been working on the issue of municipal solid waste for several years, and was one of the people instrumental in furthering passage of the 2018-19 bans on single-use carry-out plastic bags and polystyrene food containers in the towns of Mount Desert Island, particularly Southwest Harbor. As a result, I've been aware of the terrible problem with which we are living with respect to plastic, particularly plastic packaging.

While the "ideal" solution to this problem would be to decrease the manufacture of plastics of all kinds, the reality of the petrochemical industry's need for something else to do in the twilight of fossil fuels is all too apparent. There is room for creative approaches to re-use, but these are likely to be implemented only at a relatively local level. Voluntary individual recycling in a practical sense has not been a great success story in Maine so far. So what's next?

The larger effect: The concept of Extended Producer Responsibility (EPR) implemented in LD 2104 makes a lot of sense. It certainly has the potential to create a financial feedback inducement to producers to come up with more readily recyclable solutions to packaging, which is **huge** in terms of dealing with the larger problem.

The more immediate effect: However, I suspect that, for many people, that is a somewhat distant goal that, if they think about it at all, don't feel that it impacts them particularly. On the other hand, LD 2104's proposed EPR system, whatever structure may be used to implement it, will be much more readily felt in tax-payers' wallets by reducing municipal waste-handling costs.

Stability facilitating public education: As a member of the Zero Waste committee of MDI's *A Climate to Thrive* organization, my fellow committee members and I have been struggling to figure out how to communicate the rules of recycling and waste handling among our four towns, which have responded very differently to the instability of the recycling market. To the extent that EPR provides a buffer to that instability, leaving towns with a stable playing field and more stable rules, it will be a lot easier to communicate with residents about how to do recycling, and a lot more likely that they will be willing to recycle. LD 2104's specific inclusion of potential public education funding is another excellent step in this direction.

There are many factors that augur well for the success of an EPR program in Maine, including:

- it has been working well in many countries (see examples in Figure 1, below), and
- our neighboring Canadian province of Quebec is handling many hundreds of producers that also sell in Maine, thus already having experience with EPR (see Figure 2, below), and
- it will not tend to increase prices (based on the experience of other programs), and
- it is analogous to Maine's long-term successful beverage container law

I imagine that there will be significant pushback from producers, but I hope that the fact that they are already managing to live quite well with this type of law in many places should reduce the significance of that opposition as you consider this legislation.

Thanks very much for your consideration.



Figure 1
Comparison of EPR in Canada, Several European Countries and Maine Potential

Jurisdiction	Years in Place	Net Cost of Program (2017)*	People Served	Number of Producers	2017 Annual Per Capita Cost(USD)	Percent Taxpayers Pay	Recovery Rate
Belgium	30	€ 144,300,000	11,000,000	5,000	\$14.61	0%	80%
France	27	€ 655,000,000	64,850,000	22,741	\$11.42	20%	70%
Italy	22	€ 524,000,000	55,000,000	8,500	\$10.61	0%	69.7%
Ontario	16	\$249,809,925 CAD	12,962,740	1,800	\$14.26	50%	61.3%
Quebec	15	\$151, 700, 000 CAD	8,316,000	3,400	\$13.05	0%	63.6%
Manitoba	9	\$26,508, 492 CAD	1,206,492	796	\$16.26	20%	70.6%
British Columbia	7	\$72, 513, 159 CAD	4,566,371	1,176	\$11.75	0%	74.5%
Saskatchewan	3	\$5,770,209 CAD	846,804	553	\$5.04	25%	72.8%
MAINE	N/A	\$16,000,000- \$17,500,000**	1,340,000	0	\$11.04-\$13.06*	100%	<36%**

— Natural Resources Council of Maine

* **Net cost:** Non-Maine figures are annual costs reported by the Producer Responsibility Organizations in the various jurisdictions; **Maine figures are estimates from Maine DEP's Annual Product Stewardship Report.**

Countries with EPR for Packaging laws: Albania, Austria, Belarus, Belgium, Bosnia & Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, South Korea, Kosovo, Latvia, Liechtenstein, Lithuania, Macedonia, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, Republic of Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Tunisia, Turkey, Ukraine, United Kingdom, Vatican

Figure 2: Over 500 brands do business in Maine and share responsibility for Canada's recycling programs

Extended Producer Responsibility for Packaging laws are common around the world. Five of Canada's provinces have this law, and two more are working to implement this type of law. Below is a sample of businesses that pay into Canada's programs and also do business here in Maine. — Source: Canadian Stewardship Services Alliance (<http://www.cssalliance.ca/resources-list>) via NRCM.

3M Canada Company	Cuddle Down Ltd.	Irish Spring	Newell Rubbermaid	Sharp Electronics
7-Eleven Canada, Inc.	Dairy Queen Inc.	JELD-WEN	Nike	Shop Vac
A1 Steak Sauce	<i>Danone Inc</i>	Jell-O	NIKON CANADA INC	Siemens Canada
Adidas	Dart Inc.	Jimmy Dean	Nintendo of Canada	Limited
Ajax	Dasani	Jockey Company	Nordstrom Retail	Silk
All-Bran	Dell	John Deere Canada	Noxzema	Simmons Inc.
Amazon Fulfillment	Dentyne	Johnson & Johnson	Nutri Grain	Skechers USA Canada
American Eagle Inc	Dial	Karo Corn Syrup	Ocean Spray	Inc
Apple Inc.	Dickies	Keen Outdoor	Old El Paso	Smarties
Aquafina	Disney Store Inc.	Kellogg Canada Inc	Oreo	Smartwater
Arby's Restaurant Inc	Dole Foods Company	KFC	Oscar Mayer	Smucker Foods
Argo Corn Starch	Dollar Tree Stores	Keurig Canada Inc.	Palmolive	Soda Stream
Aunt Jemima	Domino's Pizza	Kimberly-Clark Inc.	Panasonic Inc.	Softsoap
Barq's Root Beer	Doritos	Kix	Party City Canada	Sony Electronics
Bath and Body Works	Dove	Kleenex	Payless Shoesource	Texas Instruments
Bayer Inc	Dr. Pepper	Klondike	Pediasure	Clorox Company
Bed Bath & Beyond	<i>Dreyer's Ice Cream</i>	Kodak Canada ULC	Pepsi	The Dow Chemical Co.
Ben & Jerry's	Duracell Canada Inc.	Kohler Canada Co.	Perrier	Tiffany & Co.
Benjamin Moore	Dyson Canada LTD.	Kool-Aid	Pfizer Canada Inc	Tim Hortons
Best BUY	ECCO Shoes Inc.	Kraft Heinz	Phillips Electronics	Timex Group Inc
Betty Crocker	Eddie Bauer	McCormick Co.	Pillsbury	Toblerone
BIC INC.	Eggo Waffles	Land O'Lakes Inc	Planters Nuts	Toll House
Bisquick	Electrolux Home	Lays	Poland Spring	Tom's of Maine
Bissell Canada	Energizer	<i>La-Z-Boy CLimited</i>	Popeyes	Toshiba of Canada Ltd
Black + Decker	Ensure	LE CREUSET INC.	Pop-tarts	Tostitos Chips
Blistex Ltd	Equifax Canada Inc.	Lean Cuisine	Post Foods Corp	Total Cereal
BOSE LIMITED	Estee Lauder Ltd.	LEGO Inc	Powerade	Totino's
Breyers	Ethan Allen Inc.	Lever 2000	Prince Pasta	Toys 'R' Us
Brigestone Firestone	Fancy Feast	Levi Strauss & Co.	Procter & Gamble Inc.	Tresemme
Burberry Inc.	Fanta	LG Electronics	Progresso	Trident
Burger King	Fiji Water Canada Ltd	Life Cereal	Purdue Pharma	Triscuit
Cabela's Retail	Five Guys LLC	Lowe's	Purina ONE	Trix
Campbell's Company	Foot Locker	Lucky Charms	Q-tips	Tropicana
Canon Inc.	Friskies	Lunchables	Quaker Oats	Tupperware Inc.
Cap'N Crunch	Frito Lay Canada	Mars Canada Inc	QuizNos Restaurant	Tyson
Capri Sun	Frosted Flakes	Masonite Canada	Raisin Bran	Uline Corporation
Caress	Fruit of the Loom Inc.	Master Lock	Ralph Lauren	Unilever Inc.
Carnation	Fruit Snacks	Mattel Canada Inc	Red Bull	US Cotton
CASIO	Fujifilm	Maxwell House	Reebok	Vaseline
CHANEL Inc	Goodyear	McDonald's	Rice Krispies	Velveeta
Cheerios	Google Corporation	Microsoft Corp.	Ritz Crackers	Vitamin water
Cheetos	Green Giant	Midas	Rold Gold	Wal-Mart Corp.
Chex	<i>Haagen-Dazs</i>	Minute Maid	Rolex Canada Ltd.	WD-40 Company
Chips Ahoy!	Hallmark	Miracle Whip	Ruffles	Weight Watchers
Web Stores	Halls	Moen	Rust-Oleum Brands	Wendy's
Coca-Cola	Hasbro Corporation	Molson Coors	S.C. Johnson & Son	Wheat Thins
Coffee-Mate	Heinz	Mondelez Canada Inc	Ltd.	Wheaties
Colgate	Hellmann's	Motorola Mobility LLC	San Pellegrino	Whirlpool LP
ConAgra Foods Inc.	Hershey Canada Inc.	Mountain Dew	Sabra Canada Inc.	Whole Foods
Corn Flakes	Hills Foods Ltd	Mug Root Beer	Samsonite Canada Inc	Williams Sonoma
Corn Pops	Home Depot	Nabisco	Samsung Electronics	Wrigley Canada
Costco Wholesale	Honeywell	Nature Valley	Sanitas	Xerox Ltd.
Cottonelle	Hormel Foods Corp	Nescafé	Sara Lee	Yamaha Motor
Cracker Jack	HP	Nesquik	Scott	Yoplait
Craftsman	Huggies	Nestea	Sealy	
Crate and Barrel Inc.	IKEA Supply AG	Nestle Canada Inc.	Sephora	
Crayola	illy Espresso Canada	New Balance	Serta Division	