

July 29, 2020

The Honorable Robert DeLeo
Massachusetts House of Representatives
24 Beacon St., Room 356
Boston, MA, 02133

RE: Amendment #29 to H4912 - Saving Recycling Costs in the Commonwealth

Dear Mr. Speaker:

The Flexible Packaging Association (FPA) is writing to **oppose Amendment #29 to H4912** (Climate Change / Omnibus Bill) regarding an producer responsibility program for packaging and printed paper. FPA is the voice of U.S. manufacturers of flexible packaging and their suppliers. Flexible packaging represents over \$33.6 billion in annual sales in the U.S. and is the second largest, and fastest growing segment of the packaging industry. The industry employs approximately 80,000 workers in the United States. Flexible packaging is produced from paper, plastic, film, aluminum foil, or any combination of these materials, and includes bags, pouches, labels, liners, wraps, rollstock, and other flexible products.

These are products that you and I use every day – including hermetically sealed food and beverage products such as cereal, bread, frozen meals, infant formula, and juice; as well as sterile health and beauty items and pharmaceuticals, such as aspirin, shampoo, feminine hygiene products, and disinfecting wipes. Even packaging for pet food uses flexible packaging to deliver fresh and healthy meals to a variety of animals. Flexible packaging is also used for medical device packaging to ensure that the products packaged, diagnostic tests, IV solutions and sets, syringes, catheters, intubation tubes, isolation gowns, and other personal protective equipment maintain their sterility and efficacy at the time of use. Trash and medical waste receptacles use can liners to manage business, institutional, medical, and household waste. Carry-out and take-out food containers and e-commerce delivery, which are increasingly important during this time, are also heavily supported by the flexible packaging industry.

Thus, FPA and its members are particularly interested in solving the plastic pollution issue and increasing recycling of solid waste when it comes to packaging. **However, Amendment #29 is ill-timed, as any producer responsibility program for paper and packaging, particularly in the United States, where no program currently exists, must be carefully crafted with robust stakeholder input.** Given that the underlying principles have not been debated in Massachusetts and the underlying legislation for the amendment, House Bill 750/745, have not passed the respective Committees or been brought to the floor for debate and vote, attempting to bypass the legislative process adding this amendment to an omnibus package is improper.

FPA understands the importance of reducing and recycling solid waste to minimize litter and optimize landfill space and truly achieve a circular economy. There is no single solution that can be applied to all communities when it comes to the best way to collect, sort, and process flexible packaging waste. Viability is influenced by existing equipment and infrastructure; material collection methods and rates; volume and mix; and demand for the recovered material. If the coronavirus pandemic has taught us anything, it is the need to preserve sterile packaging for food, health and hygiene products and personal protective equipment and medical and pharmaceutical goods. Therefore, all policy options must take into account the very real environmental and health benefits of today's packaging, outside of its potential for recycling and composting alone. These are the issues that need to be well thought through before introducing producer responsibility programs that focus on the current solid waste and recycling infrastructure for packaging, which is currently very limited, particularly for today's packaging types, like flexible packaging.

Flexible packaging manufacturers are responding to key issues and industry pressures affecting their customers as well as the demands of consumers and retailers. Safety and product protection; prevention of food waste and contamination; freshness and extended shelf life; consumer convenience; ease of transportation, storage, and use; and source reduction and sustainability are all issues manufacturers are designing for. Policies for producer responsibility to fix the system, particularly the first of its kind in the US, must be informed and not hastily passed as an amendment without legislative processes. **So, FPA objects to Amendment #29, and instead requests that the Massachusetts legislature and Department of Environmental Protection work with us and other packaging associations to find a viable solution to the problem of packaging waste.**

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alison Keane', with a stylized flourish at the end.

Alison Keane, Esq., CAE, IOM
President & CEO