

Plastics News

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FPA agrees on EPR for flexible packaging, first for US industry

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Flexible Packaging
Association

Keane

The flexible packaging industry and a product stewardship organization have agreed on principles of extended producer responsibility they could support in legislation.

The Flexible Packaging Association said Dec. 7 it has reached an agreement with a product stewardship organization on legislative principles for extended producer responsibility, including for funding mechanisms for collection of materials.

The announcement from FPA and the Boston-based Product Stewardship Institute said they have reached agreement on eight elements around EPR legislation for packaging, including flexible plastic materials, and paper products.

They said it was the first time that the flexibles sector and other groups have worked together to develop a legislative framework, and said they reached agreement on areas such as what types of packaging to be included, how producers are defined and government oversight.

"Municipalities face skyrocketing recycling costs to manage an ever more complex packaging waste stream over which they have no control," said PSI CEO Scott Cassel. "With this agreement, FPA member companies and PSI member governments, companies and organizations have started down a path together to provide desperately needed fiscal relief for municipalities while fixing and expanding our national reuse and recycling systems."

The head of the Annapolis, Md.-based FPA said it was important for the industry that any agreement that would advance EPR legislation in the U.S. both recognize benefits of flexible packaging and address collection and recycling challenges.

"Flexible packaging has many attributes that make it environmentally preferable, but it has limited opportunities for collection and recycling at its end-of-life," said Alison Keane, FPA president and CEO. "FPA needed a platform to educate policy-makers and ensure that any extended producer responsibility legislation in the U.S. for packaging provided an on-ramp for the circularity of flexible packaging."

She said FPA wanted to reach agreement with PSI because that group includes many state and local government officials, and if EPR is going to "infuse hundreds of millions of not billions of dollars into the system," the flexibles industry wanted the benefits of its products also recognized by governments.

"If we're going to pour lots of money into a system, let's make it work for all packaging types," Keane said.

Cassel said many states are considering EPR packaging legislation, and he said there is a good chance some would pass such laws this year. The groups are hoping that these agreed on principles would be considered in such legislation.

"There's a dozen states we are working with that have already introduced legislation or are expected to do so in 2021," Cassel said. "There is tremendous activity now."

Keane agreed that EPR legislation is advancing in many states, and she suggested it's a better approach than product bans.

She also said FPA could support the right kind of federal legislation instead of many different state plans, although she expressed skepticism EPR could advance in Washington.

"We don't want to see 50 separate state approaches," Keane said.

Cassel said flexible packaging makes up about 19 percent of packaging, but only 4 percent of flexibles are recycled now, largely through in-store drop off programs for bags and film packaging. An EPR system would help create funding to broaden that to other systems, like curbside, he said.

The groups, who spent more than a year working on the agreement, said in their statement that EPR funds should go toward specific measures to recycle flexible packaging, and not to manage garbage or disposal systems.

Cassel also said it includes funding for litter control measures, which is a significant priority for local governments.

He said financial details would be determined in each state's legislation, including discussions around things like reimbursing municipal governments. Cassel said having packaging users and producers fund the system is more stable than having governments do so.

"Governments are not set up well to fund and run these systems," he said.

Cassel said EPR legislation addresses the problem of externalizing the cost of waste management to taxpayers.

"Currently the packaging is costly, it's costly to collect and costly to process," he said.

He said it is difficult to estimate the potential costs, but pointed to an analysis by state officials in Connecticut that local governments there spend \$30 million to \$40 million a year processing packaging waste. If flexibles are 19 percent of overall packaging, that suggests it costs them up to \$8 million a year to handle the waste in that state, he said.

FPA companies involved in reaching the agreement include Amcor Flexibles, Berry Global, Novolex, Nova Chemicals and Sealed Air Corp.

Keane said the one goal of EPR legislation is to have flexible materials recycled in existing systems like curbside, which they are not now, and she said industry views technologies like chemical recycling as important to achieve that.

Inline Play

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