

# Column: HB 2399 could have reduced wasteful packaging practices

By Kristine Kubat • June 7, 2022

This past legislative session, hundreds of people from Hawaii and beyond rallied behind passage of House Bill 2399, a bill that would have required the world's top producers of fast-moving consumer goods to cover the costs of a five-year program designed to significantly reduce the waste their business models generate.

Contrary to what Scott Cassel of the Product Stewardship Institute would have you believe (“Hold the producers of waste accountable,” Star-Advertiser, Island Voices, May 25), the decision by grassroots organizations to work toward reintroduction of the bill — which failed this year to clear the final conference committee hurdle — is a most fortunate development.

Why? Because unlike the strategies Cassel touts, HB 2399 was designed to engage the producers truly capable of ending wasteful packaging practices — those that sell more than \$500 million worth of fast-moving consumer goods each year — and because it promoted reuse strategies, which are orders of magnitude more effective at reducing waste than recycling.

The criticism that HB 2399's transitional approach was not a “real” EPR (extended producer responsibility) bill stems from its failure to adopt the punitive practices codified in bills recently passed by Maine and Oregon. These measures compel all business with over \$2 million and \$5 million worth of global sales, respectively, to cover, in perpetuity, the costs of creating an additional, unnecessary level of handling, beyond what local governments already provide at taxpayer expense. Although heavily promoted as environmental protection, these bills amount to special interest legislation aimed at enriching a recycling industry known for its broken promises and egregious failures.

The idea that such programs relieve taxpayers of a financial burden is absurd. Taxpayers are also consumers, and the costs of these EPR bills will ultimately get paid for by increased prices to consumers whose tax bills will not go down. A similar program in Canada has been shown to increase the costs of handling recyclables by 23% while increasing recycling rates only 1% ... this while generating millions of dollars of unclaimed redemption fees that accrue to the vendor with British Columbia's monopoly EPR contract.

Even more disturbing is this outright falsehood found in the PSI critique: that HB 2399 “stipulated that counties run reuse programs and reduce packaging waste landfilled by 50% by 2026 and 80% by 2030.” HB 2399 included no such mandate. The provision cited above was included in the bill only to establish parameters for the needs assessments it did require.

Hawaii has every right to chart its own course in the global EPR movement. The Aloha Spirit requires us to acknowledge that responsibility for generating waste is shared by all and to appropriate it fairly. Producers must accept full responsibility when it comes to package design, and as mandates requiring such reforms are introduced and passed throughout the U.S., we here in Hawaii are smart to use our small market share and remote location to focus on piloting reuse strategies.

Had HB 2399 passed, Hawaii would have been first in line to benefit from Coca-Cola's recently announced decision to bottle 25% of its beverages in reusable containers by 2025 — a transition that will begin with pilot reuse programs paid for by the company's research-and-development budget, exactly as we explained when HB 2399 was moving through committee.

Also, had the bill passed, the funding it generated would have covered the cost of developing needs assessments for Hawaii's four counties, a move that would have greatly increased their capacity to garner a share of the \$275 million EPA fund set up to expand municipal waste reduction infrastructure over the next four years.

While it's unfortunate that organizations like PSI failed to appreciate the prescience of HB 2399, there's plenty of time for them to get on board for the next go-around. We welcome their support and yours.

Kristine Kubat is executive director of Recycle Hawaii.

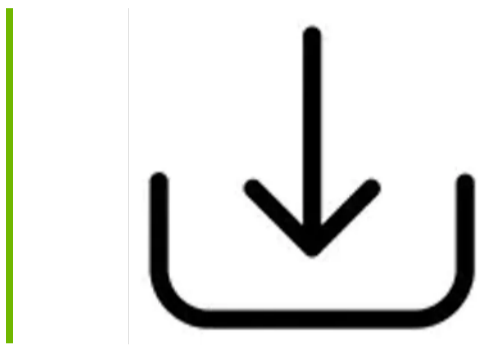
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