



**American
Forest & Paper
Association**

DATE: March 9, 2020

TO: Printing-Writing Sector

FROM: Mark Pitts, Executive Director, Printing-Writing, Pulp and Tissue

RE: Extended Producer Responsibility (EPR) Update

PURPOSE:

To inform members of proposed EPR legislation that is likely to include printing papers and to seek member input on AF&PA advocacy and engagement options.

BACKGROUND:

While Printing-Writing members may recall EPR initiatives from several years ago, the landscape has changed. In 2011, Nestle Waters led a well-funded effort to advance legislation imposing EPR for packaging and printed paper. China's National Sword policy, which went into effect in January 2018, created regulatory barriers to the export of recovered paper and negatively affected commodity values, especially for mixed paper. In response, local governments have been forced to raise fees for recycling services, while a few communities have ceased recycling collection altogether. In addition, with a steady stream of news stories about the effect of plastic litter on wildlife and oceans, public opinion has turned decisively against plastic packaging. While EPR initiatives of several years ago focused on hard-to-recycle products, like light bulbs, batteries and carpets, environmental campaigners have seized on the shift to pursue legislation that would encompass more materials, and are finding it easier to build bipartisan consensus for legislation that would make producers more responsible for the end-of-life management of their products. Momentum is growing for EPR legislation modeled on Canadian examples, which apply to packaging and printed paper.

DISCUSSION:

Elected officials at the municipal, state and federal levels are being pressured by their constituents to "do something" about the plastic pollution crisis. The recovery of materials is less financially sustainable given the changing markets that increased collection costs and reduced material values.

AF&PA previously reported that federal legislation has been introduced that would impose fee on certain packaging and printed paper products. Multiple states, including California, Maine, New York and Vermont, have introduced similar legislation (see attachments).

In addition, we have been participating in The Recycling Partnership's (TRP) new policy project, the Circular Economy Accelerator. As part of those discussions, consumer brands have supported including printed paper in any funding mechanism for recycling because TRP estimates that printed paper takes up about six percent of space in residential bin collection. We have been advocating for modulation of fees that would account for our high recovery rates and reduce the burden on paper products.

AF&PA has historically opposed EPR on the principle that paper manufacturers already share responsibility for paper products through a robust collection infrastructure that the industry built voluntarily. As policymakers move toward consensus that EPR for plastic packaging is necessary, AF&PA's position is evolving, and we are seeking to distinguish ourselves from plastic's weak recovery rates and infrastructure challenges. In spite of our clear and compelling case that paper recovery is more successful than plastic, the fact that paper-based packaging and printed paper are collected in the same bin as plastic creates legislative exposure for our products as legislators develop plastic legislation.

AF&PA uses the EPR Working Group, which is a joint working group of the packaging, recovered fiber and government affairs committees, to provide advice on policy and strategy to the sectors.

RECOMMENDATION:

Please come to the Sector meeting prepared to discuss the AF&PA position on EPR legislation. If you would like to designate a representative to the EPR Working Group or engage in other ways, please let Terry Webber (Terry_Webber@afandpa.org) know.

Attachment



**American
Forest & Paper
Association**

DATE: February 13, 2020

TO: Government Affairs Coordinating Committee
Renewable Bag Council
Recovered Fiber Sector
Packaging Sector
Printing – Writing Sector
Tissue Sector

FROM: AF&PA Government and Industry Affairs

RE: FYI: Federal EPR Bills Introduced into House and Senate

Dear Members,

On Tuesday, February 11, U.S. Senator Tom Udall (D-NM), along with Senator Jeff Merkley (D-OR), and U.S. Representative Alan Lowenthal (D-CA), with Representative Katherine Clark (D-MA), introduced the Break Free From Plastic Pollution Act of 2020 in both the U.S. Senate and House of Representatives. This is the federal Extended Producer Responsibility (EPR) legislation that has been in the works since last year that AF&PA submitted multiple rounds of comments on over the course of 2019.

As it currently stands, the bill would impose fees on certain packaging and printed paper products. A full copy of the text of the bill is [HERE](#). The Senate legislation is currently co-sponsored by 5 additional Senators and the House legislation has 28 co-sponsors.

The press release from Senator Udall's office on the bill is [HERE](#). At this point, the majority of press on the bill, including the press statement from the Senator's office, has focused on plastics waste, not paper. AF&PA developed a press statement to use if needed on the bill, but we do not plan to issue anything unless directly contacted by reporters.

AF&PA has conducted outreach to key Congressional offices to express our opposition to the bill over the last six months and will pick up the pace now that the bill has been introduced. We are drafting a one-pager to use in this advocacy work and will circulate that to the Government Affairs Coordinating Committee for feedback soon.

With questions, please contact Laura Pickard at Laura.Pickard@afandpa.org or 202-463-2755.

Thanks,

GOVERNMENT AND INDUSTRY AFFAIRS
Government_Industry_Affairs@afandpa.org
(202) 463-2700
AMERICAN FOREST & PAPER ASSOCIATION
1101 K Street, N.W., Suite 700
Washington, D.C. 20005



**American
Forest & Paper
Association**

DATE: February 21, 2020

TO: Packaging Sector
Printing Writing Sector
Recovered Fiber Sector

FROM: AF&PA Government & Industry Affairs

RE: Update- Extended Producer Responsibility Activity in the Northeast

Dear Members,

We want to update members on extended producer responsibility (EPR) discussions impacting a wide range of paper products happening in three states in the northeast: Maine, New York, and Vermont. Members with business interests in these states are encouraged to contact their representatives with your concerns. Contact Abigail_Sztein@afandpa.org for guidance in reaching out.

Maine- The Maine Joint Environment Committee (ENV) will have a hearing-February 26- on an EPR bill for packaging. AF&PA is preparing to testify in opposition. Producers of packaging will be required to pay into a fund based on the design and amount (by weight) of packaging material they sell in the state.

New York- Two bills were introduced creating EPR programs. AF&PA is preparing position statements on each bill along with working with in- and out-of-state allies to advocate in opposition to the bills.

- [SB 7718](#), covered products would include an extremely broad definition of packaging that includes: paper-based packaging and even things used for tertiary transport (suggesting even pallets could be included); paper products such as flyers and brochures, catalogs, telephone directories, and newspapers and magazines, but not bound books; along with many other materials.
- [AB 9790](#) targets packaging in particular, first limiting plastic packaging but later expanding to include all non-reusable packaging, including paper-based packaging.

Vermont- The Vermont Senate Natural Resources and Energy Committee will begin the multi-week discussion on February 21 to create a framework for EPR that will likely be applied to paper and paper-based packaging in the future. AF&PA is preparing comments in opposition to an EPR framework and will submit a request to testify before the committee.

Members can contact Abigail_Sztein@afandpa.org with any questions or comments.

Thank you.