



Solutions for a  
Toxic-Free Tomorrow

Testimony of Sarah Woodbury, Vice President of Programs and Policy, Defend Our Health  
In Support of LD 295 "An Act to Ensure Accurate Recyclability Labeling for Plastic Containers  
and Plastic Packaging Material"  
Before the Environment and Natural Resources Committee  
January 24, 2024

Hello Senator Brenner, Representative Gramlich and members of the Environment and Natural Resources Committee. My name is Sarah Woodbury. I am the Vice President for Programs and Policy at Defend Our Health. Defend Our Health's mission is to make sure that everyone has equal access to safe food and drinking water, healthy homes, and products that are toxic-free and climate friendly. I am here to testify in support of LD 295 "An Act to Ensure Accurate Recyclability Labeling for Plastic Containers and Plastic Packaging Material".

LD 295 would help limit misleading claims about the recyclability of plastic containers and plastic packaging material by requiring that, by January 1, 2027, plastic containers or plastic packaging material that say they are recyclable meet certain recyclability criteria to be sold in Maine. This will help to make sure that the systems that are in place to recycle plastics that are actually recyclable while helping prevent nonrecyclable materials from interfering with recycling efforts.

We will hear that we need to expand efforts to recycle, not curtail and that this bill makes it harder to recycle. We agree that we need to expand recycling and make it easier for consumers. But right now, the United Nations states that only 9% of plastic gets recycled<sup>1</sup> and that number is not increasing. Most plastics end up in landfills. This is for a variety of reasons. For people that recycle, there is confusion about what plastic is actually recyclable. Items get tossed into recycling bins that aren't recyclable and that causes problems for companies that do the recycling. Even plastics with the chasing arrows on them are not necessarily recyclable. There is confusion about the 1-7 plastic resin identification coding system (RIC). Consumers have no idea what those numbers mean, and most experts agree that only the plastics with a #1 or #2 on them are actually recyclable in the U.S. And including plastics that aren't recyclable in your bin makes it hard to sort the materials, causing issues for the facility doing the recycling. Another issue is the lack of recycling facilities accessible to communities. In many areas there isn't the infrastructure necessary to recycle materials. And Recycling of plastic materials is very expensive. The process is very energy-intensive, and any additional steps added such as the need to sort or wash the plastic add to that expense.

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<sup>1</sup> United Nations. (2023, August 5). *Fast facts - what is plastic pollution? - united nations sustainable development*. United Nations. <https://www.un.org/sustainabledevelopment/blog/2023/08/explainer-what-is-plastic-pollution/>



A big concern with plastics is the amount of toxic chemicals needed to create plastic materials. And recycled plastic can be more toxic than virgin plastic. LD 295 includes language that will prevent toxic plastic containers and plastic packaging from entering the recycling stream. Many plastics contain toxic chemicals like PFAS, cobalt, and antimony which are known carcinogens. Consumers are exposed to a cocktail of potentially dangerous chemicals that are shown to migrate out of the bottle into the drink<sup>2</sup>. Additionally, communities across the globe are burdened by cancer-causing toxic chemical pollution used in plastic bottle production as a result, including 1,4-dioxane and ethylene oxide, and many are low income or communities of color. Each of these chemicals are on the Department of Environmental Protection's list of chemicals of concern<sup>3</sup>. These are not the only chemicals in plastic packaging and plastic containers, the list is long and disturbing. Defend co-authored a peer-reviewed study<sup>4</sup> with a research team from New York University that was published in the *Journal of the Endocrine Society* that shows that health impacts from the toxics in plastics lead to \$250 billion dollars in healthcare costs in the U.S. every year. This includes things like 121,000 cases of male infertility from BBP and DBP, two phthalates, costing \$3.1 billion. 118,000 cases of childhood obesity from PFOA, a PFAS, costing \$2.5 billion. 59,100 cases of endometriosis in women from DEHP, a phthalate, and 50,000 early deaths.

LD 295 will help make sure that what is being sent to be recycled will actually be materials that can be recycled. It will help to educate the public on what can and cannot be recycled. And it will help protect public health by limited toxic chemicals in recycled materials. Therefore, we urge the committee to vote "ought to pass" on LD 295.

Thank you.

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<sup>2</sup> Belliveau, M., & Krithivasan, R. (2022, July). *Hidden hazards - defend our health*. Defend Our Health. [https://defendourhealth.org/wp-content/uploads/2023/05/FINAL-DOH-PlasticBottles-Report\\_5.20.2023.pdf](https://defendourhealth.org/wp-content/uploads/2023/05/FINAL-DOH-PlasticBottles-Report_5.20.2023.pdf)

<sup>3</sup> Chemicals of concern - Maine DEP. Maine Department of Environmental Protection. (2017, July). [https://www.maine.gov/dep/safechem/childrens-products/concern/documents/ChemicalsofConcern\\_2017.pdf](https://www.maine.gov/dep/safechem/childrens-products/concern/documents/ChemicalsofConcern_2017.pdf)

<sup>4</sup> Trasande, L., Krithivasan, R., Park, K., Obsekov, V., & Belliveau, M. (2024). Chemicals used in plastic materials: An estimate of the attributable disease burden and costs in the United States. *Journal of the Endocrine Society*, 8(2). <https://doi.org/10.1210/jeendo/bvad163>