



Natural Resources Council of Maine

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Testimony in Support of LD 295
An Act to Ensure Accurate Recyclability Labeling of Plastic Containers and Plastic Packaging Material

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Senator Brenner, Representative Gramlich, and members of the Joint Standing Committee on Environment and Natural Resources, my name is Vanessa Berry, and I am the Sustainable Maine Outreach Coordinator for the Natural Resources Council of Maine (NRCM). I am here to testify in support of Representative Gramlich's amendment to LD 295.

Plastic pollution is a major threat to our environment and public health. A growing body of scientific research shows that plastic breaks down into hard-to-detect microplastics found in our bodies, and the toxic chemicals used to make plastic have harmful human health impacts. Also of growing concern, the production of plastic creates greenhouse gas emissions that contribute to the climate crisis.

Maine has played a leadership role in tackling plastic pollution, with bans on single-use plastic bags and foam food containers, and a new Extended Producer Responsibility (EPR) for Packaging law that will encourage large corporations to design more environmentally responsible packaging materials. As we work to eliminate unnecessary uses of plastic, we should ensure that plastic packaging is recycled to the maximum extent possible. But that cannot happen if products are not providing honest information about the true recyclability of certain plastics.

Companies intentionally deceive and confuse consumers by placing the chasing arrows symbol on products that those companies know will not and cannot be recycled into another product. Some plastic products clearly can be recycled (even if recycling rates for those products are low), and other plastic products cannot be recycled. The bill sponsor's amended version of LD 295 aims to set the record straight by prohibiting deceptive and misleading claims regarding the recyclability of plastic containers and other plastic packaging. The coveted recycling symbol should only be granted for truly recyclable materials that have an established collection system and market.

The false claims about recyclability have real, negative consequences for the success of recycling by deceiving consumers into thinking that they can put non-recyclable items in recycling bins where they don't belong. This degrades the quality of all recycled plastic, leading to more landfilling and more plastic pollution, which has impacts on taxpayers and the environment.

This bill is opposed by plastic producers who know their plastic packaging won't make the "recyclability" cut. They don't want to be held accountable for their contribution to our waste and plastic pollution problems or change their behavior.

LD 295, as proposed, will also support Maine's EPR for Packaging law, which will result in the creation of a "readily recyclable list" of materials. LD 295 would align well with proposed draft rules that will enable the creation of that list. It's going to be very helpful for education around the state if the readily recyclable list becomes the screen for preventing manufacturers from misrepresenting the recyclability of their packaging.

We support this "truth in labeling" law because consumers should know the truth about the recyclability of plastic products. Truthful labeling will help consumers make informed choices and enable them to place their waste in the right bins. Companies that are already using accurate labeling will not be impacted, but those who are spreading false information will be required to stop deceiving the public and provide an incentive to switch to more sustainable forms of packaging that can be reused and recycled.

Thank you for your consideration of our comments, and I'm happy to answer any questions.