



**Testimony of Winn Atkins
VP Government Affairs, Sazerac**

Before the Joint Standing Committee on Environment and Natural Resources

In support of LD 1582

An Act to Clarify the Prohibition on the Sale of Beverages in Plastic Containers

Senator Tepler, Representative Doudera, and distinguished members of the Committee, my name is Winn Atkins, and I am a Vice President of Government Affairs at Sazerac Company.

Sazerac is one of America's oldest family owned, privately held distillers with operations throughout the United States. We have deep ties to Maine and are very proud of our 1820 Spirits division located in Lewiston, where we employ over 270 Mainers. Sazerac is known for many iconic brands, including some of the world's most famous bourbons like Buffalo Trace, Blanton's, Eagle Rare and Pappy Van Winkle. We also produce Fireball Cinnamon Whisky, Southern Comfort, Wheatley Vodka, Meyers's Rum, and hundreds of other spirits brands, a number of which are made in Lewiston at 1820 Spirits.

I am here to testify in support of LD 1582. LD 1582 adds a definition of "closure device" to the provision of Maine law dealing with plastic beverage containers that also contain aluminum or steel. Current law is not clear on what constitutes a closure device, which has led to inconsistent enforcement and inequity in the marketplace due to the narrow interpretation by the DEP.

In 2024, Sazerac purchased a Texas-based and woman founded company Southern Champion, known for their iconic BuzzBallz brand of ready to drink cocktails. Founded by schoolteacher turned entrepreneur Merilee Kick, who created a runaway success story by tapping into consumer demand for portable, single-serve, flavor-forward ready to drink adult beverages made with all-natural juices and creams.

BuzzBallz is one of the most popular and fastest growing ready-to-drink cocktails in the US. They are sold in forty-nine states and in over twenty countries, including several in the EU. Many of these states and countries have stringent recycling laws, including states with bottle deposit programs like Oregon, Vermont, and Iowa.

Unfortunately, the only state in the US where they are not allowed to be sold is in Maine. The single serve BuzzBallz containers are made of 100% recyclable materials, consisting of a small spherical plastic PET base with an aluminum pop-top that is opened like a beer can. Images of the BuzzBallz containers are attached to my testimony.

Despite being approved by BABLO, our brand label registration was rejected by DEP in January of this year based on their narrow interpretation that the aluminum top does not constitute a closure device. As has been mentioned, closure device is not defined in the statute.

In their letter rejecting the BuzzBallz container registration, The DEP claims that our container would negatively impact the recycling stream. The problem with this claim is that nearly identical containers are for sale in Maine today and have been for some time. Attached to my testimony are images of several wine products with a plastic base and an aluminum top for sale across Maine today. They have the Maine deposit redemption sign on the label. The products in these images were purchased over the weekend in Milo, Windham, and Augusta and were accepted into a reverse vending machine.

Additionally, under DEP's interpretation, plastic containers with fully removable metal "closure devices" are currently allowed. Given that consumers often reattach the caps on plastic containers before recycling them, these types of hybrid mixed material containers are also in the recycling stream today. In this instance, there would be no practical difference from a plastic container with a metal cap reattached and the BuzzBallz container, or the wine containers that were previously approved by DEP.

LD 1582 would bring clarity, consistency and fairness to the law and bring Maine into line with other container redemption states, and with the rest of the country, without weakening Maine's strong environmental protections. This bill would also allow Maine to adapt to evolving packaging technologies and foster market flexibility without compromising environmental goals.

I appreciate Representative Cloutier and the co-sponsors for bringing this bill forward and I thank you for the opportunity to testify and for your consideration. I am happy to answer any questions.