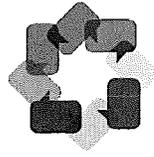


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February 25, 2026

IN OPPOSITION – LD 474 (as amended) ‘An Act to Establish a Stewardship Program for Primary and Rechargeable Batteries’

Dear Senator Tepler – Chair, Representative Doudera - Chair, and members of the Committee on Environment and Natural Resources,

The Maine Grocers & Food Producers Association and the Retail Association of Maine respectfully submit joint testimony in opposition on LD 474 (as amended) ‘An Act to Establish a Stewardship Program for Primary and Rechargeable Batteries.’ Our associations represent over 450 Main Street businesses statewide, including independently owned grocery stores and supermarkets, general merchandise and specialty retailers, convenience stores, distributors, food and beverage manufacturers, and supporting partners. Collectively, Maine’s retail sector employs more than 82,000 Mainers.

We recognize the public safety concerns associated with improper battery disposal, particularly lithium-ion batteries, and we support the goal of establishing a clear, consistent statewide framework that improves responsible collection and recycling. A well-structured stewardship program can help reduce fire risk, support municipal waste systems, and ensure producers play a meaningful role in end-of-life product management.

While the program is structured as producer-funded, it is widely understood that compliance costs will ultimately move through the supply chain. As a result, these costs are likely to be reflected in higher retail prices, placing added financial pressure on Maine consumers who are already highly price sensitive. We encourage continued discussion to ensure the program’s structure is practical and aligned with other states.

We appreciate that retailers are not mandated to serve as collection points; however, we remain concerned that retailers may ultimately face challenges in determining which products are eligible for sale under the stewardship program, similar to the compliance confusion seen when beverages are sold that are not properly registered within Maine’s bottle bill system. Retailers may be placed in the position of ensuring products sold are associated with participating producers, adding another layer of due diligence to inventory management and purchasing systems. For many independent retailers, this creates administrative burden beyond what current staffing models can reasonably absorb.

While we are testifying in opposition, we wanted to highlight four areas that could improve the bill, and change our stance to neutral or support. The four areas are the embedded battery provision; the marking requirement; the impact on e-cigarette/vape products; and a recommended exemption for surplus and salvage retailers.

## Embedded Batteries

We are opposed to the 2030 start date to include battery-embedded products within a battery stewardship program. Stakeholders have noted that established model legislation adopted in multiple states focuses on portable batteries only, and Maine's proposal risks creating a framework that is not harmonized with other jurisdictions, adding complexity for manufacturers. Significant questions remain around the scope, collection infrastructure, and recycling compatibility of battery-embedded products, which range from consumer electronics, children's toys, to e-cigarettes.

Other states and jurisdictions, including California, Illinois, Vermont, Washington, and Quebec, are still evaluating or phasing in approaches to embedded batteries, highlighting the need for additional study and stakeholder engagement before implementation. RAM and MGFPA also note that New Hampshire's battery recycling pending legislation<sup>1</sup> does not currently include management of embedded batteries, reinforcing the importance of regional alignment and a deliberate, data-driven approach before expanding program scope in Maine.

## Marking Requirement

Prematurely mandating battery labeling requirements would position Maine as an outlier compared to other states. We encourage aligning implementation timelines with those adopted elsewhere to support streamlined compliance, reduce supply-chain disruption, and ensure consistent national standards. In our research, Washington State's law<sup>2</sup> marking requirements are slated to begin in 2030 while Illinois' marking requirements start in 2029<sup>3</sup>.

## E-cigarettes and Vapes

As noted in last year's LD 1519's testimony, we reiterate our concerns regarding proposals to include vape pen batteries within a state stewardship or recycling program. Such an approach would not address the underlying issue in the marketplace, which is the prevalence of illicit and unauthorized disposable vape products being sold outside of lawful supply chains. These products already violate federal law, and additional state-level battery regulations would primarily impact compliant Maine retailers and distributors, while doing little to curb the illegal products that dominate portions of the market.

## Salvage Exemption

Lastly, we recommend adding an exemption similar to that included in the EPR for packaging program, which recognizes retailers whose business models are primarily based on salvage, closeouts, bankruptcies, and liquidations, specifically where more than 50% of total gross revenue in the prior calendar year derives from such sales.

We urge the committee to consider these four changes to the bill. Thank you for the opportunity to provide comments.



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<sup>1</sup> [https://gc.nh.gov/bill\\_status/pdf.aspx?id=27366&q=billVersion](https://gc.nh.gov/bill_status/pdf.aspx?id=27366&q=billVersion)

<sup>2</sup> [RCWs](#) > [Title 70A](#) > [Chapter 70A.555](#) > [Section 70A.555.130](#)

<sup>3</sup> <https://www.ilga.gov/documents/legislation/PublicActs/103/103-1033.htm>