



**Peter A. Brennan**  
Executive Director

January 22, 2024

Maine State Legislature  
Committee on Environment and Natural Resources  
c/o Legislative Information Office  
100 State House Station  
Augusta, ME 04333

RE: **LD 295- An Act Regarding Plastic Pollution - NECSEMA OPPOSES**

Dear Members of the Committee on Environment and Natural Resources:

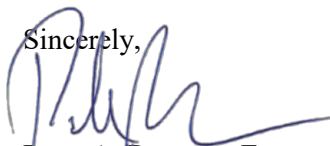
The New England Convenience Store & Energy Marketers Association (NECSEMA) represents convenience stores and gasoline retailers, independent transportation fuel distributors, and the businesses which supply them. NECSEMA members own, operate and/or supply the majority of the 1,000+ convenience stores in Maine which employ over 16,000 people.

As you know, LD 295 would place restrictions on the distribution and sale of plastic containers or packaging material subject to the display on the container or packaging of symbols that indicate the item's recyclability. NECSEMA supports the broad stated goal of the legislation to eliminate deceptive information about the recyclability of plastic containers and packaging so that our consumers can make informed choices about what they purchase.

However, it should not be the responsibility of the retailer to discern which containers or packaging are appropriately labeled with the correct symbol that indicates that product's recyclability. Our retailers are not in the business of organic chemistry and must be able to trust that the packaging is appropriately labeled when it arrives at their stores. As currently drafted, the legislation is unclear on how this law will be enforced, leaving much to be determined by administrative rulemaking not subject to the legislative process. We are concerned that our retailers could face civil fines, confiscation of products, or even criminal prosecution, simply for selling containers or packaging that do not meet the standards contemplated in this legislation.

Consequently, NECSEMA respectfully requests that you oppose LD 295. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Peter A. Brennan, Esq.