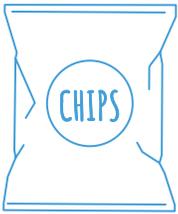


Extended Producer Responsibility (EPR)

A policy approach under which producers are given a significant responsibility – financial and/or physical – for the treatment or disposal of post-consumer products. With EPR for Packaging, producers are incentivized to consider sustainability and the costs of managing waste when designing packaging for their products.



WHAT'S COVERED?

EPR for Packaging bills cover materials used to wrap or protect goods. This includes yogurt cups, chip bags, bread bags, salsa containers, films that cover perishable goods and much more. While some EPR for Packaging bills only cover plastic, most address all types of packaging to ensure a more comprehensive system that includes all materials.



WHO'S IN CHARGE?

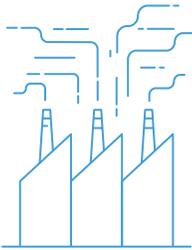
Option 1 – Full Producer Responsibility

Producer Responsibility Organizations (PROs): Producers are in charge of the organization and they contract with public or private haulers and recycling processors.

Option 2 – Municipal Reimbursement

Stewardship Responsibility Organization (SRO) or Product Responsibility Organization (another meaning for PRO): A newly-formed nonprofit is in charge, which is made up of a specified mix of state government, local government, recycling collectors, recycling processors, producers/brands, and nonprofit organizations.

Hybrid approaches (somewhere in-between the two options) are also being explored in several states.



WHO IS THE PRODUCER (THE RESPONSIBLE PARTY)?

The “producer” is generally shorthand for the “manufacturer” of consumer packaged goods. That’s the entity that makes, sells, offers to sell, and/or distributes the product in the jurisdiction under their brand name. If those don’t apply, the licensee or importer of the product would be the responsible party. There is often an exemption for small businesses with a minimal number of employees or with sales under a certain threshold, such as \$1 million.



WHAT DOES THE FUND PAY FOR?

Ideally, producers of packaging pay for 100% of collection, recycling, waste disposal and clean-up costs, which includes the cost of collection.



PRODUCERS PAY INTO THE FUND

Producers would have to pay into a fund for each piece of packaging (often measured in tons) that they sell in the jurisdiction. If a producer goes beyond the required design improvements and meets additional criteria (including recycled content, reuse/ refill systems, etc.), then they pay less into the fund. This incentivizes better product design.



WHAT DESIGN IMPROVEMENTS ARE REQUIRED?

Many EPR bills require that packaging must be recyclable or reusable (and sometimes compostable), often by a certain date. When writing EPR bills, it’s important to define what it means to be “recyclable” narrowly, and not allow chemical recycling, downcycling, or incineration to fall within that definition. Bans on certain materials (such as EPS foam) and mandates for a specific amount of recycled content are also commonly included.