

March 4, 2020

House Committee of Environment and Transportation

RE: House Bill 1442

Chair Kumar Barve, Representatives,

“My name is George Braddon. I work for the Dolco Packaging Business Unit of Tekni-Plex. Our business includes the manufacturing of polystyrene foam egg cartons at five manufacturing plants in the U.S., with over 800 full time employees. We sell these egg cartons to egg farmers, who fill the cartons and sell them to distributors and retailers around the country.

Our reading of last year’s polystyrene law is that it effectively prevents us from selling products to egg farmers in Maryland, because the law says “No person may sell in the State a polystyrene food service product.” The definition of polystyrene food service product exempts food that was packaged before receipt by a food service business—but the food service business can’t buy those pre-packaged cartons from Maryland egg farmers, because the Maryland egg farmers can’t acquire the empty cartons in the first instance. There are several links in this supply chain; the law allows for the last link, but doesn’t allow for the first link.

This is a particularly strange result because it disadvantages Maryland egg farmers relative to their out of state competition, who can purchase the cartons. We’ve discussed this with various members of the legislature who have told us that this was NOT their intent in passing last year’s polystyrene law.

The proposed amendment clears this problem up by making clear that the cartons fall outside the prohibition. We respectfully request the passage of this amendment. Thank you.”