Written Statement of

Mr. Ron Phillips, on behalf of the Animal Health Institute

On SB 292, Environment – Packaging, Containers and Paper Products – Producer Responsibility

Senate Committee on Finance

February 17, 2022

AHI is the U.S. trade association for research-based manufacturers of animal health products – the medicines that keep pets and livestock healthy.

Extended Producer Responsibility (EPR) for packaging and paper products is gaining attention in the U.S. and the conversation around sustainability is growing. Sustainability is one factor among many that animal health companies must consider in the packaging equation. Medical products for animals are required to be sterile or enclosed in packaging with tamper-resistant seals to protect public health. The animal health industry is committed to improved sustainability in all facets of the supply chain, and to maintaining product safety and stability while increasing the sustainability of packaging.

Our products are licensed by three different federal agencies, each with their own unique packaging standards and requirements.

1. Drugs approved by the Food and Drug Administration under the Food, Drug and Cosmetic Act. Sponsors must specify for the agency the materials of construction and packaging used for each product and provide data showing those factors will maintain stability of the product over its shelf life. Consequently, each product has its own unique approved packaging. Changes to product packaging take months of development followed by FDA review and approval.

2. Vaccines and biologics are approved by the US Department of Agriculture under the Virus, Serum, Toxins Act. Manufacturers are required to ensure packaging maintains the integrity of the vaccine, so temperature is a major consideration. Packaging must also accommodate detailed USDA labeling requirements.

3. Flea and tick prevention products are approved by the Environmental Protection Agency under the Federal Insecticide, Fungicide and Rodenticide Act. FIFRA §25(c)(3) authorizes EPA to establish standards with respect to the package, container, or wrapping in which a pesticide or device is enclosed to protect children and adults from serious injury or illness resulting from accidental ingestion or contact with pesticides or devices regulated under FIFRA. Additionally, §25(c)(3) requires EPA's CRP standards to be consistent with those established under the Poison Prevention Packaging Act of 1970.

AHI appreciates the Committee's recognition of the importance of animal medicines in protecting both animal and human health and supports the Committee's amended language.

> *For purposes of this chapter/section, the following products shall not be considered covered products:*

(1) Drugs, medical devices, biologics, or diagnostics approved or authorized by the Food and Drug Administration or United States Department of Agriculture for use in animals;

(2) Veterinary pesticide products approved by the Environmental Protection Agency for use in animals.

(3) Medical products for animals required to be sterile or enclosed in packaging with tamper-resistant seals to protect public health.