



February 20, 2023

RE: House Bill 342 – Joint Testimony

Dear Honorable Chair Barve, Vice-Chair Stein, and Members of the House Environment and Transportation Committee:

The Carton Council of North America (CCNA) and the American Forest and Paper Association (AF&PA) appreciate the opportunity to provide comments on House Bill 342. As committed supporters of recycling, our organizations are often in support of legislation which seeks to improve circularity, however we hold concerns with HB 342, as written.

CCNA has a proven record of working to help develop an infrastructure to recycle aseptic and gable-top cartons since its inception in 2009, and has established a marketable fiber grade for cartons. **As of December 2022, household access to carton recycling sits at 62% nationally. In the State of Maryland, household access to carton recycling is exceedingly higher than the national figure – currently at a striking 91% access rate.** Despite our successes, we continue to work to improve recycling access and increase aseptic and gable-top carton recycling in Maryland, and beyond.

AF&PA serves to advance U.S. paper and wood products manufacturers through fact-based public policy and marketplace advocacy. The forest products industry is circular by nature. AF&PA member companies make essential products from renewable and recycle resources, generate renewable bioenergy and are committed to continuous improvement through the industry’s sustainability initiative — [*Better Practices, Better Planet 2030: Sustainable Products for a Sustainable Future*](#). In Maryland, the forest products industry employs nearly 6,000 individuals in 29 facilities with an annual payroll of over \$395 million.

Aseptic and gable-top food and beverage cartons are multi-layer packages, made primarily of high-quality fiber. Cartons are a paper-based material that are processed at a pulping operation or other facility for use in the production of new products whether for the original or another purpose. Because of the minor presence of plastic in these cartons, aseptic and gable-top cartons could fall under the “beverage container that are made from plastic” description found in Section 9-2504(A)(1).¹ Similarly, aseptic and gable-top food cartons could fall under the description for “rigid plastic container” found in Section 9-2505(A)(1).²

Recommended Solutions for Cartons in HB 342:

- Ensure that aseptic and gable-top cartons do not get considered as a “beverage container made from plastic” or a “rigid plastic container” by clarifying that a beverage container made from plastic and/or a rigid plastic container made from plastic are “solely” made of plastic material.
- We suggest “paper-based beverage cartons” be listed under the “does not apply” in Section 9-2504(A)(2): by adding after (IV), the following: (V) “paper-based beverage containers.”

¹ “Beverage containers” are made from plastic and intended to contain beverages up to 2 gallons in capacity, including an individual, sealable, separate bottle, can, jar, carton, or other beverage container.

² “Rigid plastic containers” or other nondurable containers that are made from plastic and are used to package or store food.

- We suggest “paper-based food containers or cartons” be listed under the “does not apply” in Section 9-2505(A)(2), by adding after (II), the following: (III) “paper-based food containers or cartons.”

Recently in the State of Washington, similar suggestions provided by our organizations were adopted as recent amendments made to HB 1131/ SB 5154.

Notably, post-consumer aseptic and gable-top cartons continue to be recycled into tissue and toweling products, printing and writing paper, paper packaging and building products. The primary markets for cartons from the East Coast are in paper mills in the Great Lakes region and in Connecticut and Iowa where cartons can be recycled in whole (including the polymers and aluminum) and turned into sustainable building products.

Thank you in advance for your time and consideration of our input. If we can provide further information or answer any questions, please don't hesitate to contact us.

Sincerely,

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