



The power of packaging in balance.™

**AMERIPEN
American Institute for Packaging and the Environment**

**Testimony
Favorable
Maryland Senate Bill 901
Producer Responsibility for Packaging Materials**

**House Environment & Transportation Committee
March 27, 2025**

Chair Kornman, Vice Chair Boyce and Members of the House Environment and Transportation Committee.

AMERIPEN – the American Institute for Packaging and the Environment – appreciates the opportunity to offer testimony on Senate Bill 901 that would establish a packaging extended producer responsibility (EPR) program in Maryland. This legislation represents significant hard work and development that stems from efforts surrounding Senate Bill 222 in 2023 and we appreciate the hard work of Senator Augustine, and other stakeholders on this important issue.

Thanks to all the hard work that has gone into Senate Bill 901 AMERIPEN is now favorable on this important legislation and appreciate that it now reflects policy advancements that were made in 2024 with the passage of Minnesota’s packaging EPR law, that represents the most current thinking and stakeholder consensus on packaging EPR.

AMERIPEN is a coalition of stakeholders dedicated to improving packaging and the environment. We are the only material neutral packaging association in the United States. Our membership represents the entire packaging supply chain, including materials suppliers, packaging producers, consumer packaged goods companies and end-of-life materials managers. We focus on science and data to define and support our public policy positions and our comments are based on this rigorous research rooted in our commitment to achieve sustainable packaging, and effective and efficient recycling policies. We have several member companies with a presence in Maryland, and many more who import packaging materials and products into the state. The packaging industry supports more than 15,000 jobs and accounts for nearly \$4.8 billion in total economic output in Maryland.

Packaging plays a vital role in Maryland, ensuring the quality of consumer goods as they are manufactured, shipped, stored and consumed, protecting the health and safety of Marylanders who consume, use and handle those products. Packaging has value and none of it belongs in landfills, roadsides or waterways. We need to recover it to be recycled and reused, and no one knows better how to do that than the AMERIPEN members who design, supply, produce, distribute, collect and process it. They are driving innovation, designing for better environmental performance to boost recycling and evolve the recycling infrastructure.

AMERIPEN supports policy solutions, including packaging producer responsibility, that are:

- **Results Based:** Designed to achieve the recycling and recovery results needed to create a circular economy.
- **Effective and Efficient:** Focused on best practices and solutions that spur positive behaviors, increase packaging recovery, recapture material values and limit administrative costs.
- **Equitable and Fair:** Focused on all material types and funded by shared cost allocations that are scaled to make the system work and perceived as fair among all contributors and stakeholders.

We are pleased to support the approach in Senate Bill 901 because, after the significant amendments were made in the Senate, we believe it now reflects the above principles and creates a collaborative approach between all packaging value chain stakeholders to help design and run modernized recovery and processing solutions that will drive results and create a more circular economy for packaging. These key amendments align key definitions with the Minnesota law, provide for a consistent approach to funding methodologies and establishing performance goals and governance of the producer responsibility organization (PRO).

While the legislation now meets key EPR principles, we look forward to continuing to address some technical drafting issues that should be addressed as elements of the Minnesota law were combined with elements of earlier drafts of SB 901. One key change is as follows to align exempted materials and producers within the funding formula of the legislation:

Page 33, line 29 - 31

1. *PROVIDE A METHODOLOGY FOR REIMBURSEMENT 29 RATES FOR COVERED SERVICES FOR COVERED MATERIALS, EXCLUSIVE OF EXEMPT MATERIALS **AND PRODUCERS**;*

Ensuring consistency and a level playing field for all producers will be important for the ultimate success of the program and look forward to continuing to collaborate with Senator Augustine and all stakeholders as this legislation moves forward.

AMERIPEN wants to recognize that Senator Augustine, Senator Love and in years past, Comptroller Lierman have done a commendable job over the years in working toward a pragmatic solution for EPR in Maryland. We are committed to a continued dialogue on this issue this session, and encourage others to work in good faith, that moves the ball forward and improves recycling in the State.

In conclusion, AMERIPEN supports policy solutions, including packaging producer responsibility, that are results based, effective and efficient, and equitable and fair. We believe Senate Bill 901 now represents a balanced approach to EPR that aligns with the Minnesota law and provides a sound foundation for improving recycling in the State. We therefore encourage this Committee to pass the bill with a few technical amendments to align with the Minnesota law and to ultimately increase packaging recovery and recycling in Maryland in a shared and responsible way.