



FOR IMMEDIATE RELEASE

October 15, 2012

Media Contact:

Rachel Rose Belew
Director of Communications
rachel@productstewardship.us
(o) 617.236.4886
(m) 404.550.5494

**Product Stewardship Institute 'Disappointed' Over U.S. Court Ruling Against
Phone Book Opt-Outs in Seattle**

*Institute encourages City of Seattle to consider appealing court decision, continue advocating for
consumer rights and product stewardship*

BOSTON, Mass.--The [Product Stewardship Institute, Inc.](#) (PSI), a national nonprofit dedicated to reducing the health and environmental impacts of consumer products, today expressed its deep regret over the 9th U.S. Circuit Court of Appeals' [decision](#) to strike down the City of Seattle's ordinance allowing residents to opt-out of receiving yellow page telephone directories.

The ruling, which overturned an earlier decision by the lower U.S. District Court upholding [Ordinance 123427](#), ruled that the directories qualify for full free speech protection under the First Amendment and that, as such, the City of Seattle does not have the right to enact or enforce opt-out programs.

"We are extremely disappointed by the court's ruling on this important environmental and social issue," says Scott Cassel, PSI's founder and chief executive officer. "Allowing directory publishers to deliver unwanted phone books is a huge waste of natural resources that results in negative environmental impacts, and it's a cost to Seattle taxpayers of nearly \$200,000 each year. What's more, the ruling essentially deprives citizens of their right to choose."

Seattle's City Council passed its ordinance in October 2010 in response to complaints from residents about receiving unwanted phone books despite having participated in an industry-managed opt-out program. The following month, phone book distributors filed a lawsuit against the City, arguing that the ordinance was unconstitutional. By September 2011, a U.S. District Court had ruled in favor of the City.

Phone book distributors then took the case to the U.S. Court of Appeals, which reversed the district court's ruling yesterday.

"I, too, am disappointed in the panel's ruling," said Seattle City Councilmember Mike O'Brien. "I have deep appreciation for our First Amendment protections and believe that freedom of speech is one of the most important rights we enjoy in the U.S. The people of Seattle also should have the right to say 'no' and the right to privacy when unwanted yellow pages land on their doorstep."

###

About the Product Stewardship Institute (PSI)

The Product Stewardship Institute (PSI) is a national nonprofit organization dedicated to reducing the health and environmental impacts of consumer products. PSI brings together key stakeholders with conflicting interests to develop product end-of-life solutions in a collaborative manner, with a focus on having manufacturers assume primary financial and managerial responsibility. With a robust membership base of 47 state governments and over 200 local governments, as well as partnerships with more than 75 companies, organizations, universities, and non-U.S. governments, PSI advances both voluntary programs and legislation to promote industry-led product stewardship initiatives. For more information, visit PSI online at www.productstewardship.us. You can also follow PSI on Twitter at twitter.com/ProductSteward and on Facebook at facebook.com/ProductStewardship.

Product Stewardship Institute, Inc.
29 Stanhope St., 3rd Floor
Boston, Massachusetts 02116
617.236.4855
www.productstewardship.us