



BRIEF

Washington state bill would make manufacturers responsible for plastic waste

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By

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Dive Brief:

- Legislation being considered in the Washington State House of Representatives would require "a producer of plastic packaging" to participate in a stewardship organization by 2022 or quit using packaging made in whole or in part from plastics. House Bill 1204 currently sits in the House Committee on Environment & Energy, which held a public hearing on the bill Feb. 7.
- The Senate version, Senate Bill 5397, came before the Senate Environment, Energy & Technology Committee on Feb. 7. The committee substituted the similar bill SB 5323, and sent it to the Ways and Means Committee, which held a public hearing on Feb. 25.
- The bill in the Senate would prohibit the use of single-use plastic carryout bags, require a pass-through charge to consumers for recycled content paper carryout bags and

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reusable carryout bags made of film plastic, and encourage reusable and recycled content paper carryout bags by retail establishments.

Dive Insight:

According to the Northwest Product Stewardship Council, HB 1204 was patterned after a producer-operated packaging and paper product program in British Columbia and similar programs in Europe. Known as extended producer responsibility (EPR) policies, they put the onus on manufacturers to produce packaging that creates less waste and is easier to recycle.

Advocates say the U.S. plastic waste problem has increased as more complex plastics that are tougher to recycle are being produced — and after China and other Asian countries stopped accepting U.S. plastic packaging waste for sorting and recycling last year. Advocates also say the financial burden of handling plastic waste shouldn't fall on municipalities, but manufacturers should take on the responsibility of limiting them from the start.

Those testifying against HB 1204 earlier this month included product manufacturers and service providers such as Waste Management, Republic Services, Waste Connections and Johnson & Johnson. Other opponents say while EPR policies can be effective if done right, excessive reliance on incineration and corporate attempts to control stewardship programs could actually undermine recycling and choke off consumer input.


The Chinese ban on imported plastic waste has created a huge problem being shifted to landfills, incinerated or sent to



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countries ill-equipped to manage it, according to a study last year in *Scientific Advances* that was covered by NPR. The study estimated 111 million metric tons would be displaced due to China's new law, which is about half of all plastic waste imported globally since 1988, NPR said. The U.S., Japan and Germany are the largest exporters of used plastic, the study noted, with 26.7 million tons exported just by the U.S. between 1988 and 2016.


When SB 5397 was introduced in the Washington Senate in January, part of the bill's justification was that China's action had illuminated problems with how waste is managed worldwide, and these concerns are echoed in the state. The bill also said the benefits of plastic packaging — durability, low cost and lightweight character — are what make it bad for the environment.

Depending on legislative action in Washington and possibly elsewhere, there could be additional support for packaging innovations to help reduce plastic waste.

This optimism might not be misplaced. According to the Product Stewardship Institute, 15 states introduced 43 Extended Producer Responsibility-related bills in 2017, covering all types of packaging beyond just plastics. A Connecticut task force created by state lawmakers voted last year not to explore mandatory EPR. There will likely be more bills coming down the pipeline as the plastic waste problem continues.

In Washington state, however, it's unlikely the more extensive House proposal will pass unless the substance of the two different bills can somehow be resolved. There's a big policy gap



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between mandating stewardship participation or making brand owners quit using plastic packaging and phasing out single-use plastic bags. And when it comes to systemic change, progress can be exceedingly slow.

Meanwhile, a number of large food and beverage companies have announced plans to reduce their plastic use during the next few years. Mondelez recently announced it will make all its packaging recyclable by 2025. Nestlé, Unilever and PepsiCo have agreed to phase in packaging made from recyclable, compostable and biodegradable materials with more recycled content by 2025, but they haven't released specific details about their plans. However, consumer pressure and the growing plastic waste problem might well move up those timelines.

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