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Statement from AMERIPEN Executive Director Dan Felton: AMERIPEN Supports the Goals of California Senate Bill 54 But Has Concerns with Some of Its Packaging Producer Responsibility Elements

July 1, 2022 (St. Paul, MN) – “AMERIPEN supports increased recovery and recycling of all packaging materials across California and believes producers share some financial responsibility for that. But we believe the California State Legislature has passed and Governor Gavin Newsom has signed into law an impactful but somewhat flawed piece of legislation in Senate Bill 54. It is not an ideal model, as it has been touted, for packaging producer responsibility in California or anywhere else.

“We look forward to continuing to work with the legislature and the administration on potential adjustments to the law before it is regulated and implemented to help ensure that Californians benefit from an effective, realistic, and sensible program to achieve the state’s recycling goals.

“Senate Bill 54 will create an administratively burdensome system for both the state and producers. A better-suited solution for California would be one that simplifies the processes and governance structure for packaging producer responsibility, while simultaneously increasing packaging recycling and recovery in California. For Senate Bill 54, this includes:

- **Definitions** – clearer and more reasonable definitions, including for “bulk or large format packaging,” “covered material,” “producer,” and “recycle” or “recycling.”
- **Goals** – more flexibility is needed on some of the “rates and dates” in the law, including for the source reduction requirements that will be challenging for some producers to meet.
- **Mitigation Funding** – the precedent setting California Plastic Pollution Mitigation Fund established in the law is concerning and demands more clarity in terms of administration, scope, and use.
- **Needs Assessments** – more direct involvement by producers in development and implementation of the required needs assessments that they must pay for.

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Statement from AMERIPEN Executive Director Dan Felton, continued...

“More packaging materials need to be properly and sustainably collected and processed in the state and we are concerned that Senate Bill 54 on its own will not satisfy that need. We look forward to continued collaboration with the legislature and administration, bringing our know-how to the table to help them craft rules to implement packaging policy solutions that are:

- **Results Based** – designed to achieve the packaging recycling and recovery needed to enable a circular economy.
- **Efficient and Effective** – focused on best practices and solutions that spur positive behaviors, increase packaging recycling and 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.

“AMERIPEN uniquely represents the critical elements of packaging’s circular economy, and no one knows packaging better than our members who design, supply, produce, distribute, collect and process it. Our members are driving innovation, designing for better environmental performance, and know what it takes to boost recycling and evolve its infrastructure.”

Learn more about AMERIPEN’s principles and objectives for successful packaging producer responsibility programs here: <https://www.ameripen.org/news/508260/New-from-AMERIPEN-Advancing-Packaging-Recycling.htm>

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AMERIPEN – the American Institute for Packaging and the Environment – is a coalition of packaging industry entities dedicated to improving packaging and the environment. We are the only material-neutral packaging policy association in the United States and our membership represents the entire packaging supply chain, including materials suppliers, packaging producers, consumer packaged goods companies and end-of-life materials managers. Our Vision is for packaging to be recognized for all its benefits, including preventing waste and driving a circular economy and our Mission is to be the leading voice for the packaging industry, using science to inspire, create and advocate for sustainable solutions for the packaging value chain. We have numerous members with facilities in California, and many more who import packaging materials and products into the state. The packaging industry in California supports nearly 1.7 million jobs and accounts for nearly \$538 billion in total economic output in the state.

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