

The Honorable Kelly L. Morrison
Minnesota State Senate
95 University Avenue W
Minnesota Senate Bldg., Room 3205
St. Paul, MN 55155

Dear Senator Morrison,

The Flexible Packaging Association (FPA) is pleased to support SF 3561 *The Packaging Waste and Cost Reduction Act*, which will allow packaging producers to make critical investments in Minnesota's recycling infrastructure.

I. Background on FPA & Flexible Packaging

I am John Richard, Director of Government Affairs at FPA, which represents flexible packaging manufacturers and suppliers to the industry in the U.S. Flexible packaging represents \$42.9 billion in annual sales; is the second largest, and fastest-growing segment of the packaging industry; and employs approximately 85,000 workers in the United States. Flexible packaging is produced from paper, plastic, film, aluminum foil, or any combination of these materials, and includes bags, pouches, labels, liners, wraps, rollstock, and other flexible products.

These are products that you and I use every day—including hermetically sealed food and beverage products such as cereal, bread, frozen meals, infant formula, and juice, as well as sterile health and beauty items and pharmaceuticals. Thus, FPA and its members are particularly interested in solving the plastic pollution issue and increasing the recycling of solid waste from packaging.

Flexible packaging is in a unique situation as it is one of the most environmentally sustainable packaging types from a water and energy consumption, product-to-package ratio, transportation efficiency, food waste, and greenhouse gas emissions reduction standpoint, but current circularity options are limited compared to materials that have been around since the industrial age. Single-material flexible packaging, which is approximately half of the flexible packaging waste generated, can be mechanically recycled through store drop-off programs, however, end markets are scarce. The other half can be used to generate new feedstock, whether through pyrolysis, gasification, or fuel blending.

II. Critical Work on SF 3561

Initially, FPA opposed SF 3561 because the needs assessment was overridden by arbitrary goals set in legislation; lack of critical goods exemptions; and all program costs falling on producers. The current version, however, now creates a data-driven program that allows the needs assessment to inform goals set by the Commissioner of the Pollution Control Agency. And, critical goods like medical devices and food, infant formula, and drugs are now exempt from the requirements of the program. Finally, while producers still pay the vast majority of the costs of the program, the rest of the waste supply chain will at least be responsible for 10% of the cost to ensure fiscal responsibility when making investments. These are crucial changes that must be in the final bill that passes the legislature.

For these reasons, FPA now supports the current SF 3561 and would strongly advocate that HF 3577 be amended to match these critical changes in their entirety. We are happy to discuss any of the bill's provisions with you or anyone your staff feels necessary before a final vote. If we can provide further information or answer any questions, please do not hesitate to contact me at (410) 694-0824 or jrichard@flexpack.org.

Respectfully,



John J. Richard
Director, Government Affairs
Flexible Packaging Association