



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

**Testimony**  
**In Opposition to**  
**House Bill 6207**

**Extended Producer Responsibility for Packaging and Paper, Recycling of Beverage Containers**

**House Committee on Environment and Natural Resources**  
**May 13, 2025**

Chair Bennett, Vice Chair Phillips and Members of the House Committee on Environment and Natural Resources.

AMERIPEN – the American Institute for Packaging and the Environment – appreciates the opportunity to submit written testimony in opposition to House Bill 6207 that would create an Extended Producer Responsibility (EPR) program for packaging and paper products; as well as a Deposit Redemption System (DRS) for beverage containers. AMERIPEN has strong principles for effective packaging EPR and financing programs to improve recycling and has been a leading voice on balanced EPR proposals and laws across the country. While we understand the desire to move forward with EPR and a DRS in HB 6207, we have strong concerns with several sections of the bill regarding mandatory collection and recycling rates and the fees and reimbursement formula mandated under the program; and recommend further stakeholder engagement around the right approach for Rhode Island.

AMERIPEN is a trade association dedicated to improving packaging and the environment. We are the only material-inclusive packaging industry trade association in the United States representing the entire packaging supply chain. This includes materials suppliers, packaging manufacturers, consumer packaged goods companies, and end-of-life materials managers. Our membership also includes a robust array of industry, material, and product-specific trade associations who are essential to the AMERIPEN fabric. We focus on science and data to support our public policy positions, and our advocacy and policy engagement is based on rigorous research rooted in our commitment to achieve sustainable packaging policies. We have several member companies that manufacture packaging components in Rhode Island, and many more who import packaging materials and products into the State. The packaging industry supports more than 5000 jobs and accounts for more than \$1.3-billion in total economic output in Rhode Island.

While AMERIPEN supports EPR when it is structured in a balanced way, like the EPR law in Minnesota that passed in 2024, and pending EPR bills on the Governors' desks in Maryland and Washington State - we have concerns with HB 6207 as follows:

### **1. Statutory Packaging Performance Targets Lack Scientific Basis**

Section 23-19.19-10. Packaging performance targets – proposes to stipulate in statute aggressive packaging collection rate and recycling rate targets that escalate to a 75-percent collection rate and 65-percent recycling rate mandate in 2041. While these deadlines and requirements are in the future, they are not based on any systematic analysis of the Rhode Island solid waste system and its ability to collect and recycle packaging. AMERIPEN strongly believes that all performance goals and targets must be based on real-world data and backed-up by a solid plan, developed by producers and stakeholders, to achieve those goals. We cannot support legislation that takes such a prescriptive approach, such as SB 996, as it is likely to prove infeasible and subject packaging producers to fines and violations for goals that were flawed from the start. Additionally, the 2032 mandate that packaging must be reusable, compostable or recyclable, as mandated under Section 23-19.19-6. Packaging sales restrictions – is premature to assume possible, for the State of Rhode Island in such a short period of time.

AMERIPEN asserts that performance target must follow the needs assessment and be based on input directly from producers and other stakeholders. This approach creates a sound basis for evaluating program performance and integrates goals with feasible development of a EPR program.

## 2. Producer Fees

Section 23-19.19-11. Packaging and paper product producer fees – proposes a wide variety of factors that must be considered for Ecomodulation of producer fees under the EPR program. Many of the factors that are mandated to be used to set fees on producers like “additives of high concern” which is a broad term that lacks proper definition or a criteria and complicates a program that should be focused on recycling. Additionally, environmental impacts on human health remains a amorphous term that could mean a wide range of considerations that would be difficult, if not impossible, to evaluate each packaging type for objectively and to compare across tens of thousands of packaging types and products. This is unreasonable factor to set fees on producers upon.

## 3. Funding/Reimbursement Approach

Additionally, the reimbursement approach in HB 6207 relies on the open ended language in Section 23-19.19-9. Packaging producer program plan - only stipulates that the producer responsibility organization (PRO) must provide an approach to - ***contract rates to service providers for State of Rhode Island coverage of covered services at an optimal level of convenience and service for covered materials.*** This approach suggests that the PRO might be directly contracting with recycling service providers in Rhode Island, which is a dramatic shift in how recycling and solid waste is structured currently, voiding a relationship between a recycling service provider and the communities that they serve, and supplanting the PRO into that relationship. AMERIPEN does not support this approach. Instead we believe that an approach similar to the Minnesota law (and soon to be Maryland and Washington State laws) for a shared formulaic approach to funding and reimbursement for recycling services is necessary

**Conclusion** - AMERIPEN acknowledges that EPR programs can be a useful policy mechanism to help achieve environmental goals and reduce waste by bolstering recycling programs. The packaging industry understands the value of properly designed EPR programs and their potential to improve the recycling system. Should EPR be considered, a deeper evaluation of the benefits and unique aspects of the State, with all stakeholders would be needed to support a packaging and paper EPR program in Rhode Island. Additionally, performance of a Needs Assessment or a study of current recycling rates and performance data would be helpful to inform a proper approach that would improve recycling.

AMERIPEN has participated in these types of extensive dialogues that have occurred in states like Minnesota, Maryland, Illinois and Washington that have led to the performance of Needs Assessments and recycling studies that have or are leading to more informed policy creation. These studies have identified the current capacity, infrastructure and challenges that exist in each state and have served as a useful tool in looking at recycling policy and EPR.

We hope that our comments are constructive as the Committee considers our concerns with HB 6207 and urges the Committee to consider an additional Commission to specifically look at EPR or consider supporting a needs assessment for the recycling system. A needs assessment could serve as the basis for what specific characteristics of Rhode Island's recycling system need to be considered, before putting an EPR or bottle bill program in place. We look forward to continuing discussion with the Committee on this important topic. Please feel free to contact Andrew Hackman, with Serlin Haley LLP at [ahackman@serlinhaley.com](mailto:ahackman@serlinhaley.com) with any questions regarding AMERIPEN's position on this important issue.