



Packaging EPR Evolves in U.S. Legislatures

Over the past two years, four states have enacted packaging EPR laws — in Maine, Oregon, Colorado, and California — and bets are on as to who is next. Thus far in 2023, eight states have introduced legislation, and this month Maryland enacted what is known as an EPR “study bill.”

Signed into law by Governor Wes Moore on May 10th, the Maryland law enables the government to fund a needs assessment for new recycling collection and processing infrastructure, mandates the establishment of a producer responsibility organization (PRO), and tasks the Maryland Department of Environment to create an advisory council, which will report its findings and recommendations to the governor by the end of 2024 for consideration the following year.

Previously this year, Maryland’s state legislature considered a full packaging EPR bill, originally introduced in 2021 and reintroduced in 2022, which would have required producers to reimburse local governments for the collection, transportation, and processing of packaging materials. The goal of the legislation was to reduce waste by 25% by 2035.

We’re also keeping a close eye on Connecticut, Illinois and New York, where packaging EPR bills are being considered. Packaging EPR legislation is gaining momentum in part because of a growing awareness of the need to transition to a circular economy. According to the EPA, the global manufacture and use of consumer products generates 20% of greenhouse gases, but the circular economy is projected to reduce 45% of global GHGs by 2050 – and EPR is the “only proven and likely way to provide funding that is dedicated, ongoing, and sufficient” to develop a circular economy, according to the Ellen MacArthur Foundation.

Multinational companies like Amazon and Walmart that ship packaged goods to Maine, which was the first state to enact a packaging EPR law, will soon be required to reimburse municipalities for collection, reuse, and recycling. Meanwhile, in British Columbia, where an EPR program has been in place since 2014, 90% of packaging is currently recycled. We look forward to seeing the impact of packaging EPR laws as they move forward in the United States.