

National Caucus of Environmental Legislators Update on Extended Producer Responsibility

Extended producer responsibility (EPR), also referred to as product stewardship or manufacturer “takeback,” is a policy approach that shifts responsibility for spent products and packaging from taxpayers to the producers who design, make and sell them. A movement is growing both among leading corporations, public interest organizations and state and local governments to pass EPR policies in the United States. Dozens of new industry programs and state laws to reduce the life cycle impacts of products and packaging have been initiated or adopted in the last decade. There has been a lot of recent action that I’ve summarized below, with links for more information.

- **NEW PRODUCER RESPONSIBILITY COALITION (CRADLE²) LAUNCHES:** Last week, forty-two years after the recycling movement began on the first Earth Day, a new coalition launched to “bring recycling into the 21st century” by creating a political movement for producer responsibility. The [CRADLE² Coalition](#) includes more than 50 organizations from around the country, concerned about the squandering of natural resources, the impacts on climate change, and the loss of jobs from wasting valuable, recyclable materials in landfills and incinerators. The name of the coalition, CRADLE², comes from the groups’ vision of building a cradle to cradle economy where products and packaging are managed from “cradle to cradle” instead of “cradle to grave.” These organizations can be a valuable resource for you as you contemplate introducing bills and building public support.
- **2012 LEGISLATIVE UPDATE: FIFTY-THREE EPR BILLS INTRODUCED IN 15 STATES:** In the United States, there are more than [80 producer responsibility laws](#) in 33 states, covering 10 different product categories from used paint to unwanted electronics to leftover carpet and more. Twenty-four of these producer responsibility laws are aimed at collecting and recycling electronics, in part because many products contain significant amounts of toxic materials. In 2012, [53 EPR bills](#) were introduced in 15 states.
- **NESTLE WATERS BUILDING SUPPORT FOR EPR FOR PACKAGING – [Nestle Waters North America has publicly endorsed EPR for packaging](#)** and is working to build support from consumer goods companies, packaging manufacturers, waste and recycling businesses and non-profit organizations for EPR for packaging legislation. **Recycling Reinvented**, a new non-profit, has been created to develop model legislation in consultation with many companies and organizations. While the “devil is in the details,” it is very encouraging that Nestle through **Recycling Reinvented** is providing this kind of leadership to tackle more than 1/3 of the municipal waste stream.
- **NEW AND UPDATED EPR RESOURCES FOR LEGISLATORS:** **Product Policy Institute** recently developed a [Legislative Toolkit](#) web page, which includes an updated 30-page EPR Starter Kit, a Model Legislation page, and a new Jobs and Economic Development Fact Sheet, which

points to new research that shows that getting US recycling rates up - to levels achieved in much of Europe and many American cities - can create millions of new American jobs.

- **NEW HARMONIZED US DEFINITIONS AND PRINCIPLES FOR PRODUCT STEWARDSHIP AND EPR:** To allow for healthy public discussion, and prevent confusion in State Legislatures, three leading organizations in the product stewardship field recently created a consistent set of definitions. **Product Policy Institute, Product Stewardship Institute,** and **California Product Stewardship Council** spent over a year harmonizing concepts and soliciting input from stakeholders from business, government, and public interest organizations across North America. The resulting [definitions](#) have been endorsed so far by 48 businesses, government agencies, and non-profit organizations.