

FLEXIBLE PACKAGING CIRCULAR LIFE MANAGEMENT POSITION

BENEFICIAL ATTRIBUTES OF FLEXIBLE PACKAGING

Optimizes volume and weight of packaging necessary to protect products as they move through the supply chain



Resource efficient, thus reducing water, energy, and GHG emissions during production, distribution, and use



Protects products throughout e-commerce supply chain thus reducing damage and loss

Reduces volume and weight of packaging waste in need of end-of-life management



Improves transportation and storage efficiency



Extends shelf-life of food thus reducing food waste



PROBLEM STATEMENT



Use of flexible packaging is increasing due to its beneficial attributes, but has limited end-of-life management options and end markets for recycled material



Lack of material recovery means that potential for use as raw materials in a circular economy is also limited



Flexible packaging is prevalent and visible in the waste stream and as litter, leading to negative public aesthetic impacts and concerns about ocean debris



There is broad confusion about the difference between non-recyclable flexible packages and recyclable flexible packages



The current store drop-off system for flexible packaging achieves low participation rates, despite being available to the vast majority of the U.S. population, and can only be used for clean, dry PE films, versus the broader array of multilayer flexible packaging



Current curbside collection and sorting systems are not equipped to accommodate flexible packaging, leading to potential contamination of other recycling streams



Curbside collection and recycling of flexible packaging has been demonstrated as viable, but requires high capital investment



Regardless of collection systems, there is a lack of infrastructure for advanced recycling needed for flexible packaging

ATTRIBUTES OF AN EFFECTIVE END-OF-LIFE (EOL) MANAGEMENT SYSTEM FOR FLEXIBLES

Maintains or enhances the current environmental and performance attributes of flexible packages	Maximizes collection convenience and educates consumers with effective labeling
Reduces environmental impacts and costs	Provides quality materials for end-markets and circularity
Maintains or enhances keeping material out of the environment (i.e., litter and marine debris)	Creates an onramp for collection and recycling of all flexible packaging (lack of current infrastructure and markets should not impede inclusion and flexible packaging should not be banned based on lack of current infrastructure for circularity)
Provides sustainable funding, including funding for R&D and investment in advanced recycling infrastructure and sustainable end markets	

KEY CONCEPTS FOR FLEXIBLES IN EXTENDED PRODUCER RESPONSIBILITY (EPR) SCHEMES



RESPONSIBLE ENTITY(S) – The primary responsibility falls to consumer package goods companies (CPGs), which encompasses food manufacturers and retailers in their role as brand owners. If a shared responsibility is envisioned, it could include but is not limited to, raw material manufacturers, packaging converters, waste haulers, retailers, consumers and/or federal, state and local agencies. However, fee collection, remittance, and reporting on packaging use within a specific geography should fall on CPGs given their ability to track consumer sales in an EPR jurisdiction; control how products are packaged; and educate the consumer through the package label.



COVERED MATERIAL – All packaging and materials types should be covered, across all sales channels, including e-commerce. Schemes should focus on consumer goods packaging, and not industrial or institutional. Industrial and institutional segments already have robust collection and recycling systems in place, which can be leveraged on the backend to support consumer packaging recycling where appropriate; however, it does not need an EOL management fee to support that infrastructure.



COVERED ENTITIES/COVER COSTS – All households (single-family and multi-family) should be covered. Schemes should focus on consumer goods packaging, and not business or public spaces. All administrative costs should be capped, so that generated funds are dedicated to operational costs, including consumer education to increase recycling and reduce contamination; collection and infrastructure investment and improvement and development of advanced recycling systems to allow for collection and recycling to a broader array of packaging materials, including flexible packaging; and quality sorting and markets for currently difficult-to-recycle materials. Funds should not be allocated solely to reimburse or expand disposal, litter or cleanup activities and any revenue already generated through packaging waste must be directed to the recycling system.



PROGRAM MANAGEMENT – The Producer Responsibility Organization (PRO) should be managed by those who fund the program. Advisory committees should be representative of the packaging supply chain and the different packaging formats.

PERFORMANCE STANDARDS/RECYCLING TARGETS – Setting performance standards and/or establishment of other eco-modulation tools should be reserved for the PRO to allow for full lifecycle aspects of packaging; changes in the recycling infrastructure and markets; and new packaging formats over time. Fee allocation and eco-modulation should not be punitive and equitably applied across all packaging formats.



REGULATORY IMPEDIMENTS – Legislation implementing EPR schemes should address any regulatory hurdles current laws may impose, such as bans and limits on advanced recycling technology, that would prevent collection and recycling to a broader array of packaging materials, including flexible packaging, as well as markets for currently difficult-to-recycle materials. Legislation that intentionally or inadvertently incentivizes disposal over recycling should be prohibited.