

**MEMO IN SUPPORT
NY S. 7891 (MANNION)**

To Whom It May Concern:

The Flexible Packaging Association (FPA) is pleased to **support SB 7891**, which would provide regulatory certainty for advanced recycling processes and create a more circular economy for plastics in New York.

I am Sam Schlaich, Counsel, Government Affairs for FPA, which represents flexible packaging manufacturers and suppliers to the industry. In the U.S. Flexible packaging represents \$34.8 billion in annual sales in the U.S. and is the second largest, and fastest growing segment of the packaging industry. The industry employs approximately 80,000 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, such as aspirin, shampoo, feminine hygiene products, and disinfecting wipes. Even packaging for pet food uses flexible packaging to deliver fresh and healthy meals to a variety of animals. Flexible packaging is also used for medical device packaging to ensure that the products packaged, diagnostic tests, IV solutions and sets, syringes, catheters, intubation tubes, isolation gowns, and other personal protective equipment maintain their sterility and efficacy at the time of use. Trash and medical waste receptacles use can liners to manage business, institutional, medical, and household waste. Carry-out and take-out food containers and e-commerce delivery, which are increasingly important during this national emergency, are also heavily supported by the flexible packaging industry.

Thus, FPA and its members are particularly interested in solving the plastic pollution issue and increasing recycling of solid waste from packaging. We believe that SB 7891 will help do just that. 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, and food waste and greenhouse gas emission reduction standpoint, but circularity options are limited. There is no single solution that can be applied to all communities when it comes to the best way to collect, sort, and process flexible packaging waste. Viability is influenced by existing equipment and infrastructure; material collection methods and rates; volume and mix; and demand for the recovered material. 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, but again, if there are no end market for the product, these efforts will be stranded.

Developing end-of-life solutions for flexible packaging is a work in progress and FPA is partnering with other manufacturers, recyclers, retailers, waste management companies, brand owners, and other organizations to continue making strides toward total packaging recovery. Some examples include, The Recycling Partnership and the Materials Recovery for the Future or MRFF project; the Hefty® EnergyBag® Program; and the University of Florida's Advanced Recycling Program. All of these programs seek to increase infrastructure for the collection, sortation and ultimate processing of the valuable materials that make up flexible packaging, including plastic.

Advanced recycling technologies can process plastics that do not have strong end markets, thus enabling a more circular economy for plastics. In addition to benefiting the environment, advanced recycling provides important economic benefits. As the American Chemistry Council reports, more than \$7.5 billion in advanced recycling projects have been announced or are already operating in the United States, with the potential to divert 11.7 billion pounds of waste from landfills. It is estimated that through advanced recycling, 877,000 tons of plastic products created from virgin resin could be replaced each year with feedstock from plastics that are currently being diverted into New York landfills.

FPA believes that a suite of options is needed to address the lack of infrastructure for non-readily recyclable packaging materials, and promotion and support of advanced recycling development is an important lever. Thus, FPA supports the goals of SB 7891 and urges support.

In advance, thank you for your consideration. If we can provide further information or answer any questions, please do not hesitate to contact me at 410-694-0800 or SSchlaich@FlexPack.org.

Respectfully,

Sam Schlaich

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